

EXHIBIT 43

UNITED STATES DISTRICT COURT
DISTRICT OF VERMONT

JAMES D. SULLIVAN, et)
al., individually, and)
on behalf of a Class of)
persons similarly)
situated,) Civil Action No.
5:16-cv-00125
Plaintiffs,)
vs.)
SAINT-GOBAIN)
PERFORMANCE PLASTICS)
CORPORATION,)
Defendant.)

VIDEOTAPED DEPOSITION OF BILLY J. KNIGHT
taken pursuant to notice before Beth Gaige,
Registered Professional Reporter, at the
offices of BarrSternberg Moss Silver & Munson,
P.C. 507 Main Street, Bennington, VT, on
April 10, 2018, commencing at 9:31 a.m.

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INDEX

WITNESS: BILLY J. KNIGHT

Direct Examination by Mr. Locastro 6

E X H I B I T S

Exhibit No.	Exhibit Description	Page
Exhibit 1	Appraisal of Real Property	35
Exhibit 2	Appraisal Report of 54 Cortland Lane	66
Exhibit 3	Alternative Valuation Interior Report	66
Exhibit 4	Itemized Property Costs	78
Exhibit 5	Laboratory report	109
Exhibit 6	Black and white photographs of home interior	113
Exhibit 7	VT Digger - Investigation by Jim Therrien	149
Exhibit 8	Declaration	153
Exhibit 9	Apple Hill Homeowner's Association April 1, 2016 letter	189
Exhibit 10	E-mail from Brian Campion to Bill Knight	192

STIPULATION

(It is hereby agreed by and between the parties that signature is not waived.)

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THE VIDEOGRAPHER: We are now on the record. Please note that the microphones are sensitive and may pick up whispering and private conversations. Please turn off all cell phones or place them away from microphones, as they can interfere with the deposition audio. The recording will continue until all parties agree to go off the record.

My name is Edward Roy, representing Veritext. Today's date is April 10th, 2018. The time is now approximately 9:31 a.m.

This deposition is being held at BarrSternberg Moss Silver & Munson, PC, located at 507 Main Street, Bennington, Vermont, and is being taken by counsel for the plaintiff.

The caption of the case is John D. Silver -- Sullivan, et al, individually and on behalf of a class of persons similarly situated, Plaintiffs, versus Saint-Gobain Performance Plastics Corporation, Defendant.

1 This case is filed in the United States
2 District Court, District of Vermont, Civil
3 Action No. 5:16-CV-00125. The name of the
4 witness is Billy J. Knight.

5 At this time the attorneys present in the
6 room and attending remotely will identify
7 themselves and the parties they represent.

8 MR. LOCASTRO: Good morning. Nicholas
9 LoCastro of Quinn Emanuel on behalf of the
10 defendant. And I'd like to state for the
11 record that the defendants are taking today's
12 deposition.

13 MR. WILSON: Lincoln Wilson for
14 defendant.

15 MR. SILVER: David F. Silver for the
16 plaintiffs.

17 MS. JOSELSON: Emily Joselson,
18 plaintiffs.

19 MR. WHITLOCK: James Whitlock on behalf
20 of the plaintiffs.

21 THE VIDEOGRAPHER: Will Attorney David
22 Silver, representing BarrSternberg Law, please
23 swear in the witness and we can proceed.

24 (The Witness was administered the oath.)

25 BILLY J. KNIGHT, having been duly sworn by the

1 Notary Public, was examined and testified as
2 follows:

3 DIRECT EXAMINATION

4 BY MR. LOCASTRO:

5 Q. Good morning, sir.

6 A. Good morning.

7 Q. Can you please state your full name for the
8 record?

9 A. Billy Joe Knight.

10 Q. Thank you, Mr. Knight.

11 My name is Nicholas LoCastro, and I
12 represent Saint-Gobain, and I'll be taking
13 your -- your deposition today.

14 Have you ever been deposed before?

15 A. No.

16 Q. Okay. Well, I'm sure your attorneys have
17 discussed these rules with you, but I'd just
18 like to go over a couple of the deposition
19 ground rules, if I could.

20 First, I'm going to try to be clear in my
21 questions; but if you don't understand
22 anything, just ask me, and I'll try to clarify
23 it.

24 Does that make sense?

25 A. Yes, sir.

1 Q. Okay. Next, please try to answer all
2 questions audibly. So a yes and a no, I don't
3 know, those are all perfectly fine answers;
4 but things like head shakes and mm-hmms and
5 uh-huhs are going to be hard for the court
6 reporter to pick up.

7 If you need to take a break at any time,
8 that's totally fine. All we ask is that if
9 there's a question pending, you answer it
10 before we take a break.

11 Does that make sense?

12 A. Yes, sir.

13 Q. Okay. Great. So with that, we'll get
14 started.

15 Can you tell me what the highest level of
16 education that you've obtained is?

17 A. I have approximately 80 percent of a master's
18 degree.

19 Q. Where did you -- where did you go to school
20 for your master's degree?

21 A. Both Indiana State University and Ball State
22 University.

23 Q. What did you study at Indiana State?

24 A. Industrial management.

25 Q. And what did you study at Ball State?

1 A. Executive management.

2 Q. Okay. Can you tell me what an industrial
3 management degree entails?

4 A. Well, it's a little bit a combination of both
5 business and some engineering courses.

6 Q. Okay.

7 A. A combination.

8 Q. Can you tell me what an executive management
9 degree entails?

10 A. Well, it was just a little higher level into
11 some of the advanced courses, advanced
12 economics, personnel management, public
13 relations, labor relations, those type of
14 courses.

15 Q. Where did you receive your undergraduate
16 degree?

17 A. Indiana State University.

18 Q. And what did you study there?

19 A. Industrial management.

20 Q. Where did you go to high school?

21 A. Hymera High School in Indiana.

22 Q. Where do you currently work, Mr. Knight?

23 A. I'm basically retired. I just have a small
24 part-time job. Two days a week I work at
25 Bennington Lanes bowling alley.

1 Q. What do you do at Bennington Lanes?

2 A. I work behind the counter. I set up the
3 simulator, the golf simulator. I do
4 whatever's needed.

5 Q. How long have you worked there?

6 A. This will be the third -- I just work winters.
7 This is the third winter.

8 Q. And where exactly is Bennington Lanes located?

9 A. It's -- it's on North Side Drive. I'm not
10 exactly sure of the address.

11 Q. Okay. About how far is that from where we are
12 here?

13 A. Probably a mile.

14 Q. Where did you work before Bennington Lanes?

15 A. Energizer Battery.

16 Q. When -- when approximately did you work for
17 Energizer Battery?

18 A. From January of 1984 until April of 2006.

19 Q. Did you work anywhere in between Energizer
20 Battery and Bennington Lanes?

21 A. No.

22 Q. Did you work -- ever work at a racquetball
23 club?

24 A. Yes, I did.

25 Q. And was that in between Bennington Lanes and

1 Energizer Battery, or that was before

2 Energizer Battery?

3 A. It was after Energizer but before Bennington
4 Lanes.

5 Q. Okay. And when did you work at the racquet
6 club?

7 A. From August 2006 until August of 2014.

8 Q. And what did you do at the racquet club?

9 A. I was a manager.

[illegible]

[illegible]

[illegible]

[illegible]

A horizontal bar chart with 20 rows. Each row has a small black square on the left, followed by a text label, and then a horizontal black bar representing a percentage. The bars vary in length, with some extending to the right edge of the chart area. The text labels are as follows:

Category	Percentage (approximate)
1. Very high	15%
2. High	10%
3. Moderate	25%
4. Low	5%
5. Very low	20%
6. Not applicable	15%
7. Other	10%
8. Don't know	5%
9. No response	25%
10. Very high	15%
11. High	10%
12. Moderate	25%
13. Low	5%
14. Very low	20%
15. Not applicable	15%
16. Other	10%
17. Don't know	5%
18. No response	25%
19. Very high	15%
20. High	10%

[illegible]

■ ■ [REDACTED]

■ ■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ [REDACTED]

■ ■ [REDACTED]

7 Q. Where did you work before Energizer, sir?

8 A. I worked at Delco Remy Division of General
9 Motors in Anderson, Indiana.

10 Q. When did you work for Delco Remy?

11 A. August of 1968 until the first day of 1982.

12 Q. Did you have the same job title or
13 responsibilities throughout that entire period
14 at Delco Remy?

15 A. As I did in -- in Energizer?

16 Q. Sure. We can start with that.

17 A. Well, I was -- I was -- started out as a
18 production supervisor, which is what I did
19 most of the time; but I did do some labor
20 relations, some work recruiting and also as a
21 manufacturing engineer.

22 Q. Okay. During which years did you work as a
23 supervisor at Delco Remy?

24 A. Well, all of them really. These were
25 either -- the other jobs were part of the job

1 or a side job, but basically I was a
2 supervisor.

3 Q. Okay. And then I guess during which years did
4 you have the side job of manufacturing
5 engineer?

6 A. That was about the last six months I was
7 there.

8 Q. Okay. Let's take those two jobs one at a time
9 then, and can you describe your
10 responsibilities as a manufacturing supervisor
11 at -- at Delco Remy?

12 A. Well, I was to make certain that we had the --
13 the appropriate people on the lines and the
14 appropriate raw materials, all incoming parts.
15 I was in charge of the -- some scheduling and
16 the labor relations that went along with each
17 day.

18 Q. Okay. What exactly did you manufacture at
19 Delco Remy?

20 A. Well, it was different jobs. Different --
21 each -- I would be assigned at different jobs
22 six months a year, two years at a time.

23 Q. Okay. Would it be accurate to say that you
24 supervised manufacturing facilities for
25 electrical components in automobiles?

A. Yes.

15 of 16

_____, _____, _____

_____, _____, _____

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

[illegible]

Year	Country	Value
2000	United States	100
2001	United States	100
2002	United States	100
2003	United States	100
2004	United States	100
2005	United States	100
2006	United States	100
2007	United States	100
2008	United States	100
2009	United States	100
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2016	United States	100
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2018	United States	100
2019	United States	100
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2098	United States	100
2099	United States	100

[illegible]

Row	Bar Length (approx. % of max)
1	5
2	15
3	5
4	65
5	85
6	100
7	60
8	90
9	70
10	5
11	45
12	5
13	95
14	5
15	10
16	65
17	25
18	5
19	45
20	5
21	95
22	65
23	5
24	70
25	5

1 Q. Okay. All right. Let's change gears a little
2 bit now and let's talk about your home, sir.

3 A. Okay.

4 Q. What's your home address?

5 A. 54 Cortland Lane, C-o-r-t-l-a-n-d, Bennington,
6 Vermont.

7 Q. Is that a single-family home?

8 A. Yes.

9 Q. Do you own your home?

10 A. Yes.

11 Q. What's the foundation of your home made out
12 of? Is it a wood -- is it wood, brick,
13 something else?

14 A. I'm not sure. It's cinderblock I think.

15 Q. Tell me about the siding. Is that vinyl,
16 wood?

17 A. Yes.

18 Q. Vinyl siding?

19 A. Yes.

20 Q. How about the facade of your home, what's that
21 made of? Like I -- I -- I guess the front of
22 it. Is that also vinyl or that's --

23 A. Yes.

24 Q. Okay. How many bedroom does your home have?

25 A. Three.

1 Q. How many bathrooms?

2 A. Two and a half.

3 Q. What's the approximate square footage of your
4 home?

5 A. 2700 square feet.

6 Q. When was your home built?

7 A. 1997.

8 Q. And when did you purchase your home?

9 A. In 1997.

10 Q. Now, am I correct that you purchased a lot of
11 land and then constructed the home on it?

12 A. Yes, sir.

13 Q. And when did you purchase the lot on which
14 your home sits?

15 A. Approximately I'd say in 19 -- 1995.

16 Q. And is -- am I correct that the lot is about
17 10 acres?

18 A. Yes.

19 Q. Do you still own this entire 1-acre lot; you
20 haven't subdivided it or anything, correct?

21 A. No.

22 Q. Are there any other structures on your land
23 besides your home?

24 A. No.

25 Q. Do you own any other real property besides

1 your home located at 54 Cortland Lane?

2 A. I do not.

3 Q. Okay. Now, Cortland Lane is located off Apple
4 Hill Road, correct?

5 A. Yes.

6 Q. Would you agree that your home is located in
7 the Apple Hill neighborhood or Apple Hill
8 development?

9 A. Yes.

10 Q. And are you, sir, the president of the Apple
11 Hill Homeowners Association?

12 A. Yes.

13 Q. What are the boundaries of the Apple Hill
14 neighborhood? In other words, what are
15 different streets that the Apple Hill
16 neighborhood encompasses?

17 MR. WHITLOCK: Object to the form.

18 You can answer.

19 A. There's Apple Hill Road, Russett Drive,
20 Macintosh Lane, Astrachan Drive and Cortland
21 Lane.

22 BY MR. LOCASTRO:

23 Q. And would you agree that there are
24 approximately 35 homes located within the
25 Apple Hill neighborhood?

1 MR. WHITLOCK: Object to the form.

2 You can answer, if you know.

3 A. Not quite 35, no. More like 32.

4 BY MR. LOCASTRO:

5 Q. Okay. Now, do you know how many of the other
6 homes located within the Apple Hill
7 neighborhood are on a plot of land larger than
8 10 acres?

9 A. No, I do not.

10 Q. Would you agree that at least some of the
11 homes located within the Apple Hill
12 neighborhood are on a plot of land larger than
13 10 acres?

14 A. Yes.

15 Q. Can you approximate how many?

16 A. I -- one I think. One other.

17 Q. Do you know about how -- so would you agree
18 then that at least 30 homes within the Apple
19 Hill neighborhood are on plots of land less
20 than 10 acres?

21 A. Yes.

22 Q. Now, are the -- are there any homes within the
23 Apple Hill neighborhood that have wood siding?

24 A. No, not to my knowledge.

25 Q. Are there any homes within the Apple Hill

1 neighborhood that have brick siding or brick
2 fronts?

3 A. Yes.

4 Q. About how many?

5 A. I do not know.

6 Q. Okay. Are there any homes within the Apple
7 Hill neighborhood that have stone siding or
8 stone fronts other than brick?

9 A. Not to my knowledge.

10 Q. Are there any homes within the Apple Hill
11 neighborhood that have stucco siding or stucco
12 fronts?

13 A. No.

14 Q. Do you know if all the homes within the Apple
15 Hill neighborhood have the same number of
16 bedroom as yours?

17 A. I do not know that.

18 Q. Do you know if any of the other homes within
19 the Apple Hill neighborhood have the same
20 number of bathrooms as yours?

21 A. I do not know that.

22 Q. Do you know if all the homes located in the
23 Apple Hill neighborhood are the same square
24 footage as your home?

25 A. I do not know that.

1 Q. Just by viewing them from the outside, would
2 you say that most of the homes are the same
3 size as yours or are some bigger?

4 MR. WHITLOCK: Object to the form. Calls
5 for speculation.

6 A. I really don't know that.

7 BY MR. LOCASTRO:

8 Q. Okay. Were all of the homes located within
9 the Apple Hill neighborhood built the same
10 year as your home, as far as you know?

11 A. No.

12 Q. Were some homes built before your home was
13 built within the Apple Hill neighborhood?

14 A. Yes.

15 Q. About how many, would you say?

16 A. About 28 of them, 29.

17 Q. Do you know --

18 A. Mine was -- I'm sorry.

19 Q. No, please go ahead.

20 A. No. Mine was one of the last ones built.

21 Q. Okay. Do you know how old the oldest house
22 located within the Apple Hill neighborhood is?

23 A. No.

24 Q. Do you know when the newest house located
25 within the Apple Hill neighborhood was built?

1 A. No.

2 Q. What type of home would you say you have? For
3 instance, is it a colonial, a ranch, something
4 else?

5 MR. WHITLOCK: Object to the form.

6 You can answer.

7 A. It's not -- I wouldn't call it a colonial or a
8 ranch. I don't know exactly what you would
9 call it, sir.

10 BY MR. LOCASTRO:

11 Q. Okay. Let's go to our first exhibit here.

12 (Deposition Exhibit No. 1 was marked for
13 identification.)

14 Q. Mr. Knight, I just handed you what's been
15 marked as Exhibit 1.

16 Do you recognize this document?

17 A. Yes.

18 Q. And do you agree that this is an appraisal for
19 your home located at 54 Cortland Lane, dated
20 February 14, 2008, on the front page?

21 A. Yes.

22 Q. Okay. And can you turn for me to the page
23 that says Kni-0046?

24 A. (Witness complying) Yes.

25 Q. Okay. And if you look, there's a -- kind of

1 toward the middle of the page it says
2 improvements and then a colon, and there's a
3 sentence beneath it.

4 Do you see that there?

5 A. Yes.

6 Q. And this appraisal says that the subject is a
7 colonial style home built in 1996 according to
8 the town.

9 Do you see that there?

10 A. Yes.

11 Q. Do you agree -- so do you have any reason to
12 disagree with this assessment's description of
13 home as colonial in style?

14 A. I really don't understand the different
15 styles.

16 Q. Okay. That's --

17 A. I don't --

18 Q. That's -- that's -- that's fair enough. I
19 don't understand them that well myself.

20 Now, if you look -- let's turn next to
21 the page that's Kni-0041. It's towards the
22 front.

23 A. Yes.

24 Q. And this page is a little bit hard to read.
25 It's a bad scan.

1 A. Yes.

2 Q. But if you kind of look in the top, I don't
3 know, top fifth of the page, there is a --
4 there's a sentence that says neighborhood
5 boundaries.

6 A. Yes, I see that.

7 Q. You see that. And it says here, neighborhood
8 boundaries, Apple Hill Development,
9 residential subdivision with a mix of ranch,
10 colonial and contemporary homes. It is
11 considered a desirable residential
12 neighborhood.

13 Did I read that correctly?

14 A. Yes, sir.

15 Q. So would you agree that within the Apple Hill
16 Development, there is a mix of ranch, colonial
17 and contemporary homes?

18 MR. WHITLOCK: Object to the form.

19 A. I really -- I -- I don't really understand all
20 those different terms of what those homes are
21 actually.

22 BY MR. LOCASTRO:

23 Q. Okay. Would you have any reason to disagree
24 with this document's description of your
25 neighborhood?

1 MR. WHITLOCK: Object to the form.

2 A. Would you restate that question, please?

3 BY MR. LOCASTRO:

4 Q. Yeah, of course. Would you have any reason to
5 disagree with this appraisal's description of
6 the homes within your neighborhood?

7 MR. WHITLOCK: Same objection.

8 A. I -- here again, I don't know the type homes,
9 what they're called, sir.

10 BY MR. LOCASTRO:

11 Q. Okay. Would you agree that the Apple Hill
12 neighborhood has a variety of different style
13 homes?

14 Do they all look the same to you to
15 your -- to your naked eye?

16 A. No.

17 Q. How do they differ?

18 A. Well, maybe in size somewhat and difference in
19 the siding, the styles and something of that
20 nature.

21 Q. Any other ways in which the homes within your
22 neighborhood differ?

23 A. Not that I really can say.

24 Q. What kind of appliances do you have inside
25 your house?

1 A. Can you make -- ask that in a different way?

2 What do you mean what --

3 Q. Yeah, of course. For example, do you have
4 stainless steel appliances? Would you
5 describe them differently?

6 A. No, I don't have stainless steel.

7 Q. So how would you describe the -- let's --
8 let's take them one at a time and make it
9 clear.

10 How would you describe your refrigerator
11 to me?

12 A. It's just a two-door refrigerator, black in
13 color.

14 Q. About -- about -- about how old is it?

15 A. About 20 years.

16 Q. Would you say that the other appliances in
17 your home are about 20 years old?

18 A. They differ. Some are. Some not.

19 Q. Which appliances in your house are about
20 20 years old?

21 A. The refrigerator, the range -- electric range.
22 That's about it.

23 Q. Which appliances in your home are newer?

24 A. The dishwasher, washer and dryer. That's --
25 that's it.

1 Q. About how old is the dishwasher?

2 A. Two years.

3 Q. About how old would you say is the
4 washer/dryer?

5 A. About three years old, approximately.

6 Q. Is your home air conditioned, sir?

7 A. No.

8 Q. I assume your home is heated?

9 A. Yes.

10 Q. What type of heating do you have?

11 A. Fuel oil.

12 Q. Any other source of heat or just the fuel oil?

13 A. Just the fuel oil.

14 Q. Is the oil tank located inside the home, or do
15 you have a buried oil tank?

16 A. It's in the basement.

17 Q. Do you know if all of the other homes located
18 within the Apple Hill neighborhood have fuel
19 oil heat?

20 A. I don't know that.

21 Q. Are there any commercial properties located on
22 the streets that encompass the Apple Hill
23 neighborhood?

24 A. No.

25 Q. Are there any religious institutions, like

1 churches, on the streets that encompass the
2 Apple Hill neighborhood?

3 A. No.

4 Q. Are there any government buildings like post
5 offices or schools or libraries on the streets
6 that encompass the Apple Hill neighborhood?

7 A. No.

8 Q. How much did you pay for the land on which
9 your home sits?

10 A. \$35,000.

11 Q. How did you finance that purchase?

12 A. I paid cash for that.

13 Q. How much did you pay to have your home
14 constructed?

15 A. 180,000 for the home, and 35,000 for the land.
16 Well, that's -- 8,000 for the well.

17 Q. How did you finance that purchase?

18 A. Which one?

19 MR. WHITLOCK: Object -- object to the
20 form.

21 BY MR. LOCASTRO:

22 Q. How did you finance the home construction
23 purchase?

24 A. A mortgage.

25 Q. Have you paid that mortgage off?

1 A. No.

2 Q. Have you ever obtained a home equity loan or
3 line of credit on your home?

4 A. Yes.

5 Q. And when was that, sir?

6 A. 2000 -- I think it was January 2017.

7 Q. Have you ever refinanced your home loan?

8 A. No.

9 Q. Can you tell me where exactly on your 10-acre
10 parcel of land your house is situated? Is it
11 in the middle, is it towards the north, the
12 west?

13 A. It's up in the -- the north -- north end of
14 the -- up in the upper north corner.

15 Q. Would agree that you have a yard in the front
16 of your house?

17 A. Yes.

18 Q. About how much land do you have in front of
19 your house?

20 A. The yard itself?

21 Q. Yeah.

22 A. Approximately an acre.

23 Q. So would you -- would you agree that there is
24 9 acres behind your house, or is it -- is the
25 land situated a bit differently?

1 A. Approximately 9 acres to the south of my
2 house.

3 Q. What's the surface of your -- of your land?
4 Is it -- is it mostly grass, dirt, wooded,
5 rocky, something else?

6 A. Basically wooded.

7 Q. Is there any grass on your property?

8 A. I'm sorry?

9 Q. I'm sorry. Is -- is -- is there any grass
10 growing on your property?

11 A. Yes.

12 Q. About what percent of your property would you
13 say is grass as opposed to wooded?

14 A. Ten percent.

15 Q. What's directly in front of your property? Is
16 it the street? Is it a river or something
17 else?

18 A. Can you define front?

19 Q. Yes. So if you have -- if you have the front
20 of your home and then there's about an acre of
21 land in front of it, what's beyond that acre
22 of land that's in front of your house?

23 A. Well, if you're saying the front of my land,
24 it's looking up to the neighbors above me.

25 Q. Okay. So then what's behind your land?

1 A. That's the 9 acres roughly.

2 Q. And what -- what's beyond the 9 acres?

3 A. Just some more wooded area.

4 Q. What's on either -- what's on either side of
5 your land?

6 A. Homes from the development.

7 Q. Would you say your land is flat, or does it
8 slope in any direction?

9 A. It slopes.

10 Q. And in which direction does your land slope?

11 A. To the south.

12 Q. Can you estimate how much your land slopes?
13 Is it a steep incline, or is it pretty --
14 pretty gradual?

15 A. Gradual.

16 Q. Do you know what the approximate size of each
17 plot of land in the Apple Hill neighborhood
18 is?

19 A. No, I do not.

20 Q. Would you say that most homes in the Apple
21 Hill neighborhood are on more than an acre of
22 land?

23 A. Yes.

24 Q. Would you say that most homes in the Apple
25 Hill neighborhood sit on a plot of land larger

1 than 5 acres?

2 A. No.

3 Q. Do most of your neighbors have yards that are
4 predominately covered in grass?

5 A. Yes.

6 Q. So a few of your neighborhoods have lands that
7 are predominately covered in woods like your
8 own house, correct?

9 MR. WHITLOCK: Object to the form.

10 A. I really don't know for sure.

11 BY MR. LOCASTRO:

12 Q. Would you say that more of your neighbors have
13 yards that are predominately grassy than
14 predominantly woody?

15 A. Yes.

16 Q. Are there any homes within the Apple Hill
17 neighborhood that have yards that are mostly
18 covered with rocks or gravel or sand?

19 A. No.

20 Q. Are there any homes within the Apple Hill
21 neighborhood that have yards that are covered
22 with synthetic grass?

23 A. Not to my knowledge.

24 Q. You mentioned that there's a well on your
25 property, correct?

1 A. Yes.

2 Q. Where exactly is your well located?

3 A. Just northeast of my home.

4 Q. When was your well installed?

5 A. I believe 1997. Roughly before we moved in.

6 Q. Okay. Do you know how deep your well goes?

7 A. Yes.

8 Q. How deep does it go, sir?

9 A. 634 feet.

10 Q. What's your well made of?

11 A. What's it made of?

12 Q. Yeah. Do you know?

13 A. No.

14 Q. Is the well the only source of water in your
15 home, or do you receive municipal water, as
16 well?

17 A. No, I do not receive municipal water.

18 Q. What maintenance do you perform on your well?

19 A. I don't do any maintenance on my well.

20 Q. Prior -- I'm sorry. Have you ever hired
21 anyone to perform maintenance on your well?

22 A. Well -- no, I've never hired -- the person who
23 put the well in had to come back and work on
24 it once.

25 Q. When was that?

1 A. I don't know exactly.

2 Q. Do you know why the person who installed your
3 well needed to perform maintenance on it?

4 A. Yes.

5 Q. And why was that?

6 A. The well had -- when the motor ran, it
7 vibrated a wire, electrical wire in two, and
8 the well had to be pulled out.

9 Q. So do -- so -- was -- was your well pulled out
10 then within the last five years, ten years?

11 A. More like 15 years ago.

12 Q. And when the -- when this maintenance was
13 going on, was your well operable or no?

14 A. No.

15 Q. And about how long was your well inoperable
16 during that period?

17 A. Six hours maybe.

18 Q. Okay. Prior to 2016 did you ever consider
19 seeking to connect your property to municipal
20 water?

21 A. No.

22 Q. Are you now seeking to have your property
23 connected to municipal water?

24 A. Yes.

25 Q. And why is that?

1 A. Because my well is contaminated with PFOA.

2 Q. Are you aware of what regular tests to wells
3 are recommended?

4 MR. WHITLOCK: Object to the form.

5 A. No. No, I'm not.

6 BY MR. LOCASTRO:

7 Q. Okay. Besides your home and your well, what
8 other physical features are there on your
9 property?

10 MR. WHITLOCK: Object to the form. Vague
11 and ambiguous.

12 A. None really.

13 (Interruption by reporter.)

14 BY MR. LOCASTRO:

15 Q. About how many trees would you say are -- are
16 on your property?

17 A. I don't know.

18 Q. Would you say more than a hundred?

19 A. Yes.

20 Q. More than 200?

21 A. I really don't know, sir.

22 Q. Would you estimate between 100 and 220 trees;
23 is that -- is that fair?

24 A. Yes.

25 Q. Do you have a barn or a tool shed or anything

1 like that on your property?

2 A. No.

3 Q. Do you have a garden on your property?

4 A. No.

5 Q. Do you have a fence or a retaining wall on
6 your property?

7 A. No.

8 Q. Fair to say you don't have a swimming pool or
9 a Jacuzzi or sauna, anything like that?

10 A. No.

11 Q. Do any of the other homes in the Apple Hill
12 neighborhood have pools?

13 A. Yes.

14 Q. About how many would you say have pools?

15 A. I'm not sure.

16 Q. Do any of the homes in the Apple Hill
17 neighborhood have fences?

18 A. Yes.

19 Q. About how many would you say, if you can?

20 A. Two.

21 Q. Do any of the homes in the Apple Hill
22 neighborhood have tool sheds or garden sheds?

23 A. Yes.

24 Q. About how many, if you know?

25 A. I -- I don't know.

1 Q. Do any of the other homes in the Apple Hill
2 neighborhood have retaining walls?

3 A. No.

4 Q. Do any of the other homes in the Apple Hill
5 neighborhood have wells?

6 A. Yes.

7 Q. Would you say most?

8 A. I'm not sure.

9 Q. What is the soil beneath your home like? For
10 example, when you dig, is it rocky, is it
11 sandy?

12 A. Rocky.

13 Q. Is there anything beneath the surface of your
14 land? Do you have a root cellar or anything
15 like that?

16 A. No root cellar.

17 Q. Do you know if there are power lines or sewer
18 lines running underneath your home?

19 A. Just my electrical underground line.

20 Q. Okay. Let's talk a little bit about
21 improvements to your home.

22 Since -- since you acquired your home,
23 have you ever -- have you ever -- have you
24 ever replaced the roof on it?

25 A. Yes.

1 Q. When did you replace the roof?

2 A. I'm not sure.

3 Q. Okay. Does it sound right that you replaced
4 the roof around 2011?

5 A. That sounds close, yes.

6 Q. Do you remember approximately what it cost to
7 replace the roof?

8 A. No, I do not.

9 Q. Do you recall whether you took out a loan to
10 finance that purchase, or is that something
11 you paid cash for?

12 A. I don't recall.

13 Q. Have you ever replaced the siding on your
14 house?

15 A. No.

16 Q. Let's -- let's revisit the roof just for one
17 more question.

18 Do you know why you replaced the roof on
19 your house?

20 A. It was -- there was -- it was faulty. There
21 was places that needed to be repaired on the
22 roof.

23 Q. And do you know why those faults occurred; was
24 it age or something not installed right?

25 MR. WHITLOCK: Object to the form.

1 A. I really don't know, sir.

2 BY MR. LOCASTRO:

3 Q. Okay. Have you made upgrades to the
4 landscaping on your land --

5 A. Yes.

6 Q. -- since you acquired -- can you -- can you
7 describe those upgrades to the landscaping?

8 A. We put in some shrubs, and we put in two
9 flower beds that would look to resemble stone
10 fences, and my wife plants flowers. And I've
11 planted grass, and I've planted some trees.

12 Q. Would you say that other homes within the
13 Apple Hill neighborhood have landscaping that
14 looks the same as yours?

15 MR. WHITLOCK: Object to the form.

16 A. I really don't know that. I don't -- really
17 don't know.

18 BY MR. LOCASTRO:

19 Q. Are there homes within the Apple Hill
20 neighborhood, would you say, that don't have
21 flower beds planted?

22 A. I'm not sure, sir.

23 Q. Have you ever -- have you ever replaced the
24 windows on your home?

25 A. Yes.

1 Q. Approximately when?

2 A. Well, it was only the bathroom windows. I --
3 and that was maybe five years ago.

4 Q. Why did you replace your bathroom windows?

5 A. They were -- they needed replacement. The
6 wood was rotting away there.

7 Q. Do you recall how much you paid to replace
8 your bathroom windows?

9 A. No, I do not.

10 Q. Have you done any other work to the exterior
11 of your home since you started living in it?

12 A. Yes.

13 Q. Can you tell me about that?

14 A. We replaced the front porch and back porch
15 with synthetic -- took up the wood, put
16 synthetic boards, whatever you call them,
17 down. We put a new back patio on; new
18 hardwood floors downstairs; an alarm system;
19 asphalt in front of the house, which used to
20 be gravel; tile in the bathroom and in the
21 entryway to the -- from the garage. That is
22 all I can recall at this time.

23 Q. Okay. Would you agree that you installed a
24 new storm door to your home at some point
25 after you acquired it?

1 A. Not that I recall.

2 Q. When did you redo your driveway?

3 A. I'm not certain. I don't recall the date.

4 Q. Does 2014 sound about right?

5 A. Yes, close. Yeah, that would be about right.

6 Q. And do you recall what you paid to have your
7 driveway redone?

8 A. No, I do not.

9 Q. When did you install the front and back porch?

10 A. Approximately five years ago, I'd say.

11 Q. And why did you decide to install a new front
12 and back porch?

13 A. The wood was deteriorating on the front porch,
14 mahogany wood.

15 Q. Do you recall what -- do you recall what you
16 paid to install the front and back porch?

17 A. Not right now, no, sir, I don't.

18 Q. Okay. Did you obtain any opinion on how any
19 of the improvements that we've discussed
20 affect the value of your home?

21 A. Can you ask that again?

22 Q. Yeah, sure. So after you repaired the roof or
23 installed a new patio, new driveway, things of
24 that nature, did you obtain an opinion from a
25 realtor or an appraiser or tax assessor saying

1 how that work affected the value of your home?

2 A. No.

3 Q. Now, you talked a little bit about some of the
4 improvements that you made inside the house.

5 Am I right that you said you had hardwood
6 put in?

7 A. Yes.

8 Q. Where did you have new hardwood put in?

9 A. From the front door, the entryway, there's a
10 common area that goes to -- back to two or
11 three rooms and then back into the family
12 room.

13 Q. And when approximately did you have hardwood
14 put in?

15 A. Approximately four years ago. I'm not
16 certain.

17 Q. Do you recall what you paid to have the
18 hardwood put in?

19 A. No, I do not.

20 Q. When did you have the alarm system installed?

21 A. It's been several years. Probably 15 years
22 ago.

23 Q. You also retiled the bathroom?

24 A. I had it done, yes.

25 Q. Did you retile all of the bathrooms in your

1 home or just -- or just one or two of them?

2 A. The downstairs bedroom.

3 Q. And do you recall what that cost?

4 A. No, I do not.

5 Q. Have you ever remodeled any of the rooms
6 within your home since you started living in
7 it?

8 MR. WHITLOCK: Object to the form.

9 A. Just paint.

10 BY MR. LOCASTRO:

11 Q. And which rooms did you paint?

12 A. One of the upstairs bathrooms -- I'm sorry.
13 One of the upstairs bedroom and the family
14 room.

15 Q. Besides the improvements that we've already
16 discussed, am I right that you haven't been
17 remodeled or done any improvements to any
18 rooms in your home, correct?

19 A. I'm sorry, repeat that.

20 Q. Sure. That probably wasn't very clear.

21 Besides the improvements that we've
22 already discussed, am I right that you haven't
23 done any other improvements to the interior of
24 your home?

25 MR. WHITLOCK: Object to the form.

1 You can answer.

2 BY MR. LOCASTRO:

3 Q. In other words, do we --

4 THE WITNESS: Pardon me?

5 MR. WHITLOCK: I just objected to the
6 form. You can answer.

7 A. Not that I can recall at this time, sir.

8 BY MR. LOCASTRO:

9 Q. Okay. Can you please turn back to Exhibit 1?
10 I see you still have it in front of you.

11 And if -- and if you can, can you go to
12 page 0048?

13 A. (Witness complying) Yes.

14 Q. And would you agree that -- that this is an
15 accurate depiction of the interior of your
16 home as of the date of -- of -- of -- as of
17 the date of this assessment, 2008?

18 A. Yes, it looks accurate.

19 Q. And what I'd ask -- what I'd like you to do,
20 is if you can take my pen, can you actually
21 mark on this diagram all of the different
22 improvements that you made to your home and
23 describe what your marking up for the record?

24 A. (Witness complying)

25 MR. WHITLOCK: Are you -- just so we're

1 clear, are you talking about interior
2 improvements --

3 MR. LOCASTRO: Yes.

4 MR. WHITLOCK: -- or --

5 MR. LOCASTRO: Yeah.

6 MR. WHITLOCK: Okay.

7 BY MR. LOCASTRO:

8 Q. So all of the interior improvements. For
9 example, you can draw where you put in -- or
10 just, you know, write in with arrows where you
11 put in the hardwood, where you put in the
12 tile, things of that nature, where you've
13 repainted.

14 A. (Witness complying) You're talking just
15 interior, right, sir?

16 Q. Yes, sir. Yeah.

17 A. (Pause while drawing)

18 MR. WHITLOCK: Is there some tile --

19 THE WITNESS: Yes, yeah.

20 MR. WHITLOCK: -- downstairs bathroom?

21 THE WITNESS: Yes.

22 A. Done more painting than I thought. I think --
23 I think that's it for the time being. That's
24 all I can recall, sir.

25 //

1 BY MR. LOCASTRO:

2 Q. Okay. That's -- that's great. Thank you.

3 Now, if you could turn two pages to
4 Kni-0050.

5 A. (Witness complying)

6 Q. Would you agree that the photos here are --
7 accurately depict the exterior of your home at
8 least as it existed on February of 2008?

9 A. Yes.

10 Q. Now, I'm going to ask you to do the same
11 thing. Using my pen can you just note all of
12 the places where you made improvements to the
13 exterior since the date --

14 A. To the left in the margin?

15 Q. Yes, sir, that's -- that's perfect.

16 A. (Witness complying) Is this -- may I ask is
17 this supposed to be my driveway here, sir? I
18 think it is.

19 Q. I believe so, yes.

20 A. Yes. Okay.

21 Q. Okay.

22 A. I think that's it for the time being.

23 Q. All right. I'll take my pen back.

24 A. Okay.

25 Q. And I promise the exhibit making portion of

1 today's deposition is over.

2 BY MR. LOCASTRO:

3 Q. Do you have -- do you have homeowners
4 insurance?

5 A. Yes.

6 Q. How many policies?

7 A. Just the one, I believe.

8 Q. Who's your insurance company?

9 A. State Farm.

10 Q. What does your insurance cover? Your --
11 your -- your homeowners insurance that is.

12 MR. WHITLOCK: Objection.

13 A. Yeah, what do you mean exactly what does it --

14 BY MR. LOCASTRO:

15 Q. So, for example, if your -- if your home is
16 destroyed in some way, does your policy cover
17 that?

18 A. I don't know exactly what the policy says,
19 sir.

20 Q. Okay. How much do you pay for your insurance?

21 MR. WHITLOCK: Object to the form.

22 A. I'm not certain at this time.

23 BY MR. LOCASTRO:

24 Q. Do you know how much your insurance company
25 will pay in the event that your home needs to

1 be replaced?

2 MR. WHITLOCK: Object to the form.

3 THE WITNESS: May I answer the --

4 MR. WHITLOCK: Sure.

5 THE WITNESS: Yeah.

6 A. I think the latest policy is \$352, I believe.

7 I'm not sure, but I think that is it.

8 BY MR. LOCASTRO:

9 Q. Is it \$352,000 or --

10 A. Yes.

11 Q. Okay.

12 A. Yes.

13 Q. Okay.

14 A. I'm sorry. Yeah. Yeah, that would --

15 Q. Maybe you have one of those tiny houses.

16 A. Yeah, that's very small. Yeah, that wouldn't
17 cover the front steps, yeah.

18 Q. Okay. Is your home currently for sale, sir?

19 A. No, sir.

20 Q. Have you ever in the past attempted to sell
21 the home located at 54 Cortland Lane?

22 A. No.

23 Q. Do you have any present plans to sell your
24 home?

25 A. No.

1 Q. Why not?

2 A. Well, I love the home. It's -- so we've put a
3 lot into the home. It's a very nice home.
4 The PFOA thing has kind of deteriorated our
5 feelings about the home. You know, we love
6 the home. It's a home I've always wanted, and
7 we've got a lot into it, but that's been an --
8 an issue, but right now we're trying to stay
9 there.

10 Q. What circumstances would lead you to sell your
11 home, if there are any?

12 A. Well, as we grow older, it's a two-story home.
13 Just maybe to make it easier if we were to be
14 maybe not in as good a health as we are now,
15 so we'd have to climb the stairs and pay
16 the -- it's a lot of taxes on the home.

17 Q. I gotcha. Have you ever attempted to lease or
18 rent out your home?

19 A. No.

20 MR. LOCASTRO: Okay. I think that's a
21 good place to take a break.

22 THE VIDEOGRAPHER: The time is now
23 approximately 10:32 a.m. Going off the
24 record.

25 (Brief recess taken.)

1 THE VIDEOGRAPHER: The time is now
2 approximately 10:51 a.m. Going back on the
3 record.

4 MR. LOCASTRO: Are you ready to continue
5 with your deposition?

6 THE WITNESS: Yes, sir.

7 BY MR. LOCASTRO:

8 Q. Prior to January of 2016, had you ever had
9 your well water tested for any reason?

10 A. Not to my knowledge.

11 Q. Has your well water ever been tested at any
12 time for the presence of PFOA?

13 A. Yes.

14 Q. When was that?

15 A. Not certain. I believe it was in May of 2016.

16 Q. Who paid for that test?

17 A. I don't know.

18 Q. Do you -- do you recall if you, yourself, paid
19 for that test?

20 A. I did not.

21 Q. Do you know the results of the PFOA test in
22 your well?

23 A. Yes.

24 Q. And what were those results?

25 A. It was 105 parts per trillion.

1 Q. Was May of 2016 the only time that your well
2 was tested for the presence of PFOA?

3 A. Yes, I think it was.

4 Q. After May of 2016, was a POET or
5 point-of-entry treatment system installed on
6 your well or in your home?

7 A. Yes.

8 Q. And do you know when the POET was installed?

9 A. Not exactly.

10 Q. But it was after May of 2016?

11 A. Yes.

12 Q. And once the POET was installed, had -- had
13 the water coming out of it, has that ever been
14 tested for the presence of PFOA?

15 A. Yes.

16 Q. How many times?

17 A. Approximately three. I think they did it
18 quarterly.

19 Q. And do you recall around the first time the
20 POET was tested for the presence of PFOA or
21 the POET water rather?

22 A. I'm -- the time, sir, or the --

23 Q. Yeah, yeah. When? Approximately when?

24 A. No, I do not, no.

25 Q. Does July 2016 sound right?

1 A. Yes, it could be.

2 Q. And does September 2016 sound about right for
3 the second test?

4 A. Yes.

5 Q. And does July of 2017 sound about right for
6 the third test?

7 A. I don't know exactly, sir.

8 Q. On any of the three tests of your POET, was
9 PFOA detected?

10 MR. WHITLOCK: Object to the form.

11 A. After the POET system?

12 BY MR. LOCASTRO:

13 Q. Yes. After the POET system was installed, has
14 PFOA been detected in the drinking water
15 coming out of it?

16 A. No.

17 Q. Prior to January 2016 had you ever had your
18 soil tested for any reason?

19 A. No.

20 Q. Has your soil ever been tested for the
21 presence of PFOA at any time?

22 A. I don't think so, no.

23 Q. So would it be fair to say that besides the
24 test of your well in May of 2016 and the
25 subsequent POET tests, your soil hasn't been

1 tested for the presence of PFOA?

2 A. I do not think it has been.

3 Q. Have you ever had your home appraised?

4 A. Yes.

5 Q. Besides the February 2008 appraisal that we've
6 marked as Exhibit 1, are there -- had there
7 ever been any other appraisals of your home?

8 A. Yes. In January of 2017.

9 Q. Do you recall your home being appraised in
10 October of 2005, as well?

11 A. No, I don't recall that one.

12 Q. Okay.

13 MR. LOCASTRO: I'm going to mark two
14 exhibits here. Let's make this one 2.

15 This will be 2, Jamie.

16 (Deposition Exhibit No. 2 was marked for
17 identification.)

18 MR. LOCASTRO: And let's make this one 3,
19 please.

20 Jamie, this will be 3.

21 MR. WHITLOCK: Thank you.

22 (Deposition Exhibit No. 3 was marked for
23 identification.)

24 BY MR. LOCASTRO:

25 Q. All righty. Why don't we start with what

1 we've marked as Exhibit 3, Mr. Knight. That's
2 the -- that's the thinner document here.

3 A. Okay.

4 Q. And do you see kind of on the top right corner
5 Exhibit 3 says a report date of October 6th,
6 2005?

7 A. Yes.

8 Q. Do you -- do you recognize this document?

9 A. No, I do not.

10 Q. Do you agree that at the top it says,
11 alternative valuation interior report, and
12 then it says -- below that it says that the
13 borrower is a Judith Knight and the requested
14 address is 54 Cortland Lane?

15 A. I see that.

16 Q. And would you agree that this is a valuation
17 of the home located at 54 Cortland Lane?

18 A. It appears to be, yes.

19 Q. Do you have any knowledge as to why this --
20 this valuation was -- was carried out?

21 A. No, sir, I don't. I don't remember this
22 evaluation.

23 Q. Okay. That's fair. It says alternative
24 valuation at the top.

25 Do you have any idea as to what this

1 valuation is an alternative to, to any extent?

2 A. No, I do not.

3 Q. Okay. Would you agree though that, according
4 to this report, the estimated market value of
5 your home on October 6, 2005, was \$325,000?

6 A. That's what it says here.

7 Q. Okay. Let's turn back to Exhibit 1 now, if we
8 could. That's the February 2008 appraisal.

9 And do you recall, sir, why your home was
10 appraised in February of 2008?

11 A. Yes. We changed from a mortgage to a home
12 equity loan.

13 Q. Okay. Do you know who appraised your home in
14 February of 2008?

15 A. I -- not certain, no.

16 Q. Okay. Now, if you turn to the, I guess it's
17 the third page of this document, but it's --
18 it's Kni-0041, so it might be one back there.

19 MR. WHITLOCK: It looks like it was a
20 Mrs. Fannie Mae.

21 THE WITNESS: Is that the chocolate?

22 BY MR. LOCASTRO:

23 Q. If you look at the bottom of -- of -- of page
24 0041 -- and again, these are a little hard to
25 read.

1 A. Just a second here. Okay.

2 Q. At the very, very bottom, do you see here it
3 says there's a little check box kind of on --
4 on the middle?

5 A. Yes.

6 Q. And it says based on, and then you carry over
7 and there's an X there, interior and exterior
8 inspection. I estimate the market value as
9 defined of the real property that is the
10 subject of this report to be \$370,000 as of
11 February 14, 2008.

12 Did I -- did I read that correctly?

13 A. Yes.

14 Q. Okay. Now, let's take a look at Exhibit 2,
15 sir, and this is -- this is the -- this is --
16 has Kni-0020 on the first page.

17 A. (Witness complying) Okay.

18 Q. And this is a -- is an appraisal of your home
19 located at 54 Cortland Lane, dated January 11,
20 2017, correct?

21 A. Yes.

22 Q. And if you turn to the, I guess the first page
23 there, Kni-0021, this is an exterior only
24 inspection residential appraisal report,
25 correct?

1 A. Yes.

2 Q. And you would agree that this is different
3 from the 2008 report in that that was an
4 exterior and interior appraisal, correct?

5 A. Yes.

6 Q. Okay. Do you know why this appraisal in
7 January 2017 was carried out?

8 A. Yes.

9 Q. And why is that, sir?

10 A. My wife owns an apartment house, and she was
11 getting a line of credit, and they -- so they
12 needed to appraise our house.

13 Q. Okay. Now, if you look on page Kni-0022, at
14 the very bottom.

15 A. (Witness complying) Okay.

16 Q. It says here that based on a visual inspection
17 of the exterior areas of the subject property,
18 from at least the street, define scope of
19 work, statement of assumptions and limiting
20 conditions and appraiser certification, my,
21 open parentheses, our, closed parentheses,
22 opinion of the market value as defined of the
23 real property that is the subject of this
24 report is \$300,000 as of January 11, 2017,
25 which is the date of inspection and the

1 effective date of this appraisal.

2 Did I read that right?

3 A. Yes.

4 Q. Okay. Now, you mentioned a few things I want
5 to follow up with you on, if I may, sir.

6 On Exhibit 3 -- which is the TransUnion
7 alternative valuation requested by Judith
8 Knight, correct?

9 A. Yes.

10 Q. Now, did your -- when -- when you were asked
11 to produce documents in connection with this
12 case, did you ask your wife to search through
13 her files to see if she had any documents that
14 needed to be produced?

15 A. Yes.

16 MR. WHITLOCK: So the record's clear --

17 MR. LOCASTRO: Yes.

18 MR. WHITLOCK: -- Exhibit 3 specifically
19 states at the top that it was requested by
20 Mrs. Tammy Hogan, not --

21 MR. LOCASTRO: Oh, I'm sorry.

22 MR. WHITLOCK: -- Judith Knight.

23 MR. LOCASTRO: I'm sorry. That's --
24 okay. So -- thank you, Jamie. So we'll --
25 we'll -- I will -- I will rephrase.

1 BY MR. LOCASTRO:

2 Q. Exhibit 3 says that the borrower is Judith
3 Knight, correct?

4 A. Yes.

5 Q. Okay. And it was requested by Tammy Hogan?

6 A. Yes, I see that.

7 Q. Do you know who Tammy Hogan is?

8 A. No, I do not.

9 Q. Okay. So then I'll -- I'll rephrase my
10 question and ask you, when you were asked to
11 produce documents in connection with this
12 case, did you ask your wife to look through
13 her files and give you anything that may have
14 been relevant?

15 A. Yes.

16 Q. And was this one of the documents that your
17 wife gave to you?

18 A. I really don't remember this one, sir.

19 Q. Okay.

20 A. I do not remember this one.

21 Q. Now, you mentioned that your wife, in
22 January 2017, applied for a loan to purchase
23 an apartment building?

24 A. Not to purchase the apartment. To make a lot
25 of improvements on it. She already owned the

1 apartment.

2 Q. So your wife owns an apartment building?

3 A. Yes, she does.

4 Q. Where's that apartment building located?

5 A. Oh, gosh, Branch Street. I'm sorry. 109 and
6 111 Branch Street.

7 Q. And is that in Bennington, sir?

8 A. Yes, sir.

9 Q. About how far from here is 109 to 111 Branch
10 Street, would you say?

11 A. Probably half mile.

12 Q. Can you describe the apartments that your wife
13 owns? Are they one-bedroom apartments,
14 two-bedroom?

15 A. It's a three-bedroom -- three apartments in
16 the dwelling, but I -- I don't know exactly
17 how many bedrooms are in each one.

18 Q. So your wife owns three apartments.

19 A. No. She owns the one building.

20 Q. Okay. The one building. And within the one
21 building there are three separate units,
22 correct?

23 A. Yes.

24 Q. How long has your wife owned those apartments?

25 A. I'm not positive. That was before we were

1 married.

2 Q. And when -- when were you married?

3 A. 1990.

4 Q. So your wife has owned three apartments
5 located at 109 to 111 Branch Street since at
6 least 1990; is that correct?

7 A. Yes.

8 Q. Do you know approximately when the building
9 located at 109 to 111 Branch Street was
10 constructed?

11 A. No, sir.

12 Q. Do you know whether the apartments at 109 to
13 111 Branch Street received their water from a
14 municipal source or is -- or is there a well
15 located on the --

16 A. It's municipal.

17 Q. Has it always been municipal, as far as you
18 know?

19 A. I do not know that.

20 Q. Do you know what rent your wife charges for
21 the apartments on Branch Street?

22 A. I do not.

23 Q. Okay. Okay. Let's -- let's -- let's -- let's
24 turn back then to your home at Cortland
25 Avenue.

1 A. Cortland Lane.

2 Q. I'm sorry, Cortland Lane. Thank you.

3 Now, has the state or town ever evaluated
4 your home for tax purposes?

5 A. Yes.

6 Q. Do you know what the assessed value of your
7 home is for tax purposes?

8 A. The latest one was 268,000.

9 Q. Do you know when the city or town of
10 Bennington last inspected your home to assess
11 its value for tax purposes?

12 A. I do not.

13 Q. Would 2004 sound right?

14 A. I really do not know.

15 Q. Has the city inspected your home to assess its
16 value after PFOA was detected in your -- in
17 your well?

18 A. Can you rephrase that?

19 Q. Yeah. Yeah, of course. After PFOA was first
20 detected in your well, has the city come to
21 reassess your home for tax purposes?

22 A. No.

23 Q. So did the city assess the value of your home
24 for tax purposes before PFOA was detected in
25 your well?

1 A. No. It was after -- I'm sorry, it was after.
2 It was this year. So it was after PFOA.

3 MR. WHITLOCK: I'm -- I'm going to -- so
4 the record's clear, you're -- you're using the
5 terms assess, reassess, come to inspect.
6 Those are all very different things.

7 MR. LOCASTRO: Okay. All right. I --
8 I --

9 MR. WHITLOCK: If we can be clear.

10 MR. LOCASTRO: Yeah, I definitely
11 appreciate that. So I will --

12 MR. WHITLOCK: Thank you.

13 MR. LOCASTRO: Let's -- let's make the
14 record a little bit more clear.

15 BY MR. LOCASTRO:

16 Q. So the city has assessed your home for tax
17 purposes in 2017, correct?

18 A. Yes.

19 Q. As to when the city came to your home to
20 inspect it for tax purposes, do you know when
21 that was?

22 A. I do not.

23 Q. Does it sound right that the city came to your
24 home to inspect it for tax purposes in 2004
25 or -- or are you not sure?

1 A. 2004?

2 Q. Yes.

3 A. I do not know, sir.

4 Q. Do you know whether the city came to your home
5 to inspect it for tax purposes after PFOA was
6 detected in -- in your well?

7 A. Yes. That would have been this latest
8 assessment.

9 Q. So when the city most recently assessed your
10 home for tax purposes in 2017, someone
11 actually came to your home to inspect it?

12 A. I'm not sure, sir. I don't know.

13 Q. Okay. So do you know the last time someone
14 came to your home to inspect it for tax
15 purposes?

16 A. It was this year.

17 Q. That someone --

18 A. But I don't know exactly when.

19 Q. Okay. Take a look at this here.

20 A. I thought -- yes, this year.

21 Q. Okay.

22 A. Oh, no, no, no, sir, not in 2018. I'm sorry.
23 I'm thinking 2017. It wasn't in 2018, no.

24 Q. I understand.

25 MR. LOCASTRO: I'm going to mark this as

1 the next exhibit, please.

2 (Deposition Exhibit No. 4 was marked for
3 identification.)

4 BY MR. LOCASTRO:

5 Q. Do you recognize this document, sir?

6 A. No, I do not really.

7 Q. Okay. Would you agree that on the top left
8 corner, it's dated October 11, 2017?

9 A. Yes.

10 Q. And would you agree that in the bottom right
11 corner of page Kni-0017, it lists the
12 homestead value as \$268,400, correct?

13 A. Yes.

14 Q. And that's the value that the city has placed
15 on your home for tax purposes, correct?

16 A. Yes.

17 Q. And if you turn the page over -- and this is
18 on page Kni-0018, would you agree that on the
19 bottom of this page, there's a notation, town
20 of Bennington Apex Software?

21 Do you see that at the very bottom?

22 A. Yes.

23 Q. So would you agree that the document that
24 we've marked as Exhibit 4 was something that
25 the town of Bennington -- this is -- this is a

1 record from the town of Bennington, correct?

2 MR. WHITLOCK: Object to the form.

3 A. It appears to be, yes.

4 BY MR. LOCASTRO:

5 Q. And on the top of page Kni-0017 it says here,
6 under last inspected, 11/15/2004.

7 Do you -- do you see that there?

8 A. Yes.

9 Q. Does this -- does this document at all,
10 Exhibit 4, in any refresh your memory as to
11 when your home was last inspected by
12 Bennington for tax purposes?

13 A. I really don't remember, sir.

14 Q. Okay. That's -- that's fair enough.

15 Let's change gears a little bit and talk
16 about -- let's move away from home value, and
17 let's talk about what you -- you use your home
18 for.

19 Do you entertain socially at your house?

20 A. Not much.

21 Q. About how often would you say?

22 A. Maybe twice a year.

23 Q. Do you use your home for any commercial
24 activity? Do you run, like, a side business
25 out of the home?

1 A. No.

2 Q. Do you or your wife have a home office?

3 A. No.

4 Q. Do you grow any crops on the land that you
5 then sell?

6 A. No.

7 Q. So fair to say that there's no commercial
8 activity at all going on inside your home?

9 A. No.

10 Q. Okay. So, no, it's fair to say -- so you
11 would say that there is no commercial
12 activity?

13 A. There is no commercial activity.

14 Q. Gotcha. Thank you.

15 Has the presence of PFOA in your well
16 affected your ability to entertain socially in
17 your home?

18 A. We haven't entertained, I think, since then,
19 but we don't allow our grandchildren to use
20 any of the water in our home, any of the
21 faucet water. We still use bottled water for
22 the grandchildren.

23 Q. Okay. Has the presence of PFOA in your well
24 affected the use of your home in any other
25 way?

1 A. Yes.

2 Q. Can you tell me?

3 A. Well, we cannot drink the water. The water
4 pressure is terrible. We can't use the
5 water -- two things at one time. And the
6 thought that it could be affecting our health
7 has made us somewhat leery of anything to do
8 with our home actually, to shower or anything
9 like that.

10 Q. Has the presence of PFOA affected the use of
11 your home in any other way, or have you told
12 me everything there is?

13 A. None that I recall at the present time.

14 Q. Okay. Since PFOA was first detected in your
15 well water, have you undertaken any steps to
16 have it removed?

17 A. Have what removed, sir?

18 Q. To have the PFOA removed?

19 A. Yes. The POET system has been installed to
20 remove it.

21 Q. Besides the POET system, have you undertaken
22 any further steps?

23 A. Repeat that question, would you, sir?

24 Q. Sure. Besides the installation of the POET
25 system, have you undertaken any other steps to

1 have the PFOA in well water removed?

2 A. No.

3 Q. Who paid for the POET system?

4 A. I'm not sure. I don't know.

5 Q. Did you pay for the POET system?

6 A. I did not.

7 Q. Do you find that the POET system effectively
8 removes PFOA from your well water?

9 MR. WHITLOCK: Object to the form.

10 A. Based on the -- the studies it appears to have
11 taken -- I'm not a professional in that area,
12 so I don't know, but based on the reports I've
13 got it has.

14 BY MR. LOCASTRO:

15 Q. Okay. Am I correct that you lived in your
16 home at the time the former ChemFab facility
17 in -- in -- in Bennington at 1030 Water Street
18 was active?

19 A. Yes.

20 Q. Were you aware of the -- of the facility
21 located at 1030 Water Street when it was
22 active?

23 A. What do you mean by aware?

24 Q. Did you know that it -- that it -- that it
25 existed?

1 A. Yes, I knew it existed.

2 Q. Did you know what kind of manufacturing
3 activities went on there?

4 A. No.

5 Q. Did you have any impressions of the facility
6 located at 1030 Water Street while it was
7 active?

8 A. No.

9 Q. Did you live in Bennington when the former
10 ChemFab facility located at 108 North Side
11 Drive was active?

12 A. I'm not sure when it was active, sir.

13 Q. Okay. Do you have any impressions of the
14 Bennington landfill?

15 A. What do you mean by impressions?

16 Q. Well, let's start do you -- do you know of the
17 Bennington landfill?

18 A. Yes.

19 Q. What do you know about it?

20 A. I just know that it's there. I really don't
21 have any opinions of it. I don't know exactly
22 what you're wanting to know.

23 Q. Okay. So it would -- it would be fair to say
24 that you have no opinion one way or the other
25 as to the Bennington landfill?

1 MR. WHITLOCK: Object to the form.

2 Opinion as to?

3 A. Yeah, I don't exactly what you're -- you mean,
4 sir. I know that it's there.

5 BY MR. LOCASTRO:

6 Q. Okay. Besides knowing that it's there, do you
7 think anything else of it?

8 A. Well, I -- I fear that it's -- it's been
9 contaminated by the ChemFab dumping their
10 byproducts into the landfill.

11 Q. So do you fear that the Bennington landfill is
12 a -- is a potential source of the PFOA that's
13 affecting your water well?

14 A. I'm not certain.

15 Q. Do you have an opinion one way or the other?

16 A. No.

17 Q. Although you're not certain, do you think that
18 there's a possibility that PFOA from the
19 Bennington landfill has affected your home?

20 MR. WHITLOCK: Object to the form. Calls
21 for an expert opinion.

22 A. I guess there's a possibility, but I'm not
23 certain, sir.

24 BY MR. LOCASTRO:

25 Q. Okay. Is it your opinion, sir, that had PFOA

1 not been detected in your water well, your
2 home would be worth somewhere between \$365,000
3 to \$70,000 -- I'm sorry -- to \$370,000?

4 A. I would agree to that if it was not
5 contaminated with the PFOA, yes.

6 Q. What's your basis for that opinion?

7 A. Well, the land is -- the land -- our well has
8 been contaminated. The land's contaminated.
9 I'm certain that people would be very cautious
10 in wanting to buy my home because of
11 contamination.

12 Q. I understand that, and maybe -- maybe my
13 question wasn't the most clear.

14 What is your basis for opining that had
15 your home -- or had PFOA not been detected in
16 your well, your home would be worth between
17 \$365,000 and \$370,000?

18 A. Well, I do know of two homes that the sale in
19 our development was affected by the presence
20 of PFOA.

21 Q. Okay. Maybe I'm not asking this as clear as I
22 can.

23 So is it -- is it your opinion that --
24 that had there been no PFOA detection in your
25 well, your home would be worth between 365,000

1 and 370? That's -- that's correct, right?

2 A. Yes.

3 Q. Okay. What's your basis for that number?

4 A. Well, based on what I paid for the home, and
5 based on all the improvements I've had -- I've
6 put in the home, the appraisal of the home. I
7 just know the area. I know the community.
8 I -- it's a great place. It's my opinion that
9 the home is one of the -- in that area before
10 PFOA, one of the most desirable places -- one
11 of the most desirable places to live in town.

12 Q. Okay.

13 A. Beautiful view, everything.

14 Q. Now, the appraisal that you mention, that's
15 the 2008 appraisal that we've marked as
16 Exhibit 1, correct?

17 A. Yes.

18 Q. Okay. Do you have any education or training
19 or other experience in real estate valuation?

20 A. No.

21 Q. And was there any method that you -- that you
22 applied to determine that the 2008 appraisal
23 of your home is accurate?

24 A. Well, here again, based on everything I --
25 the -- what I paid for it, the improvements,

1 the appraisal, my own opinion and knowing the
2 area, it's a very desirable area. It's a very
3 desirable home. So that's what I base it on.

4 Q. Okay. Have you attempted to verify or test
5 your opinion as to the value of your home?

6 A. In what way, sir?

7 Q. In -- in any way.

8 A. I don't know what you mean by test it.

9 Q. So let's say have you gone out and spoken to a
10 realtor or any other kind of professional
11 appraiser and said this is what I think my
12 home would be worth had PFOA not been detected
13 in my well, does that make sense to you,
14 something like that?

15 A. I haven't spoken to an appraiser about that.

16 Q. Okay. Have you spoken to anyone else to see
17 whether your valuation of your home is
18 accurate?

19 A. Just other people, neighbors, and as I said,
20 two people I know that's tried to sell their
21 home.

22 Q. Okay. Now your home was appraised for
23 \$370,000 in 2008, correct?

24 A. Yes, sir.

25 Q. Now, besides the detection of PFOA in your

1 well, did you consider whether any other
2 circumstances had changed since 2008 that
3 might affect the value of your home?

4 A. Not really, no.

5 Q. Did you consider, for example, whether the
6 housing market may have taken a more general
7 downturn in or around 2008 that may have
8 affected the value of your home?

9 A. I --

10 MR. WHITLOCK: Object to the form.

11 You can answer.

12 A. I really don't -- I don't know, sir.

13 BY MR. LOCASTRO:

14 Q. Okay.

15 A. I don't know that much about the housing
16 market.

17 Q. Okay. Do you believe that because PFOA has
18 been detected in your well, your property is
19 now worth around \$240,000?

20 A. Yes.

21 Q. What's your basis for that number?

22 A. Well, here again we have contaminated wells we
23 can't use. There's the health issue. Now,
24 the waterline, we don't know if we're ever
25 going to get waterlines or not; and if we do,

1 it's -- it's going to be an added expense that
2 I never had before.

3 Q. Did you research or analyze any market data in
4 order to develop your \$240,000 valuation?

5 A. No.

6 Q. With respect to your \$240,000 valuation, did
7 you arrive at that opinion on your own or
8 through consultation with anyone else?

9 A. Basically just what I've understood that
10 that's about the percentage that the homes
11 seem to be affected by the PFOA, and that's
12 where I come up with that figure.

13 Q. Okay. You say that it's the percentage the
14 homes seem to be affected.

15 What do you base that -- that opinion on?

16 A. Well, just based on people I've talked to that
17 say they're losing could be as much as
18 30 percent, and the people in my neighborhood
19 I know that's tried to sell homes find it very
20 difficult to sell their home because of the
21 PFOA.

22 Q. Who are the people who you've spoken to who've
23 said that the value of the homes are affected
24 by around 30 percent? Excuse me.

25 A. I don't recall, sir.

1 Q. Do you know of anyone who attempted to sell
2 their home and had to take a 30 percent
3 reduction because of the presence of PFOA?

4 A. I don't know if it was 30 percent or not, sir.

5 Q. Has your home ever been assessed at a value of
6 \$240,000 or below?

7 MR. WHITLOCK: Object to the term
8 assessed.

9 But you can answer.

10 A. Not to my knowledge.

11 BY MR. LOCASTRO:

12 Q. Has your home ever been appraised at a value
13 of \$240,000 or below?

14 A. I don't believe so.

15 Q. Okay. What amenities would you say are
16 located within either the town of Bennington
17 or the Apple Hill neighborhood that enhance,
18 in a positive way, the value of your home?

19 A. Well, I think the location and the -- the type
20 of lots we have in our home. We have a
21 fantastic view, and we're -- as much as we're
22 out of town, so to speak, we're just five or
23 ten minutes from the main -- main part of
24 town.

25 Q. Anything else you can think of?

1 A. Not at the present time.

2 Q. What's your home located near? What kind of
3 amenities is your home located near that you
4 would think maybe would enhance the value or
5 would make it more attractive?

6 A. Well, it's -- it's -- it's near town, of
7 course, and we're not that far from the city.
8 We have a -- we're not far from the monument.
9 It's a beautiful view of the monument. It's a
10 very -- it's a drawing part, I think.

11 Q. Anything else you can think of?

12 A. Not at the present.

13 Q. Would you say that your home is located near
14 ski or other outdoor facilities?

15 A. It's -- yes, it's close enough.

16 Q. Are there any factors in your community that
17 you -- besides the presence of PFOA that you
18 might feel detract from the value of your
19 home?

20 A. No.

21 Q. Would you feel that other homes within your
22 neighborhood are as well kept as your home?

23 A. I -- I don't know that for sure, sir.

24 Q. When you drive around your neighborhood, do
25 you feel that every home in your neighborhood

1 is maintained to the same degree as your home?

2 MR. WHITLOCK: Object to the form.

3 A. I -- I can't say that for sure, sir.

4 BY MR. LOCASTRO:

5 Q. Okay. What's your understanding of the term
6 zone of contamination?

7 A. Well, it's the area that I'm living in now
8 that the state has actually designated on the
9 map, the homes in that area have been affected
10 by the PFOA contamination.

11 Q. What's your understanding of the physical
12 impact of PFOA within the zone of
13 contamination?

14 A. Well, our wells have been deemed useless now
15 because they're contaminated. We have serious
16 doubts about -- not doubts but our health
17 issue, our -- the value of our homes have gone
18 down. Our water pressure is -- is terrible.
19 We're forced to use bottled water now because
20 we can't drink our water.

21 Q. What's your understanding of the physical
22 impact of PFOA in the class area?

23 MR. WHITLOCK: I'm going to object to the
24 phrase physical impact. It's vague and
25 ambiguous.

1 But you can answer if you understand.

2 A. What do you mean exactly, sir? Can you repeat
3 that?

4 BY MR. LOCASTRO:

5 Q. Sure. Well, why -- why don't we ask it this
6 way. What's your understanding of the impact
7 in any way of PFOA with -- within the class
8 area?

9 A. Well, we obviously -- here again, we -- our
10 wells are contaminated. We can't use our
11 wells. We have -- it's going to -- could
12 affect our health because PFOA, it's been
13 associated with several diseases that we might
14 come in contact with. Here again, the homes
15 are devalued.

16 Q. Do you know if everyone within the class area
17 has been impacted by PFOA in the same way and
18 to the same degree?

19 A. Well, we've all been impacted the fact -- in
20 the same way that we all have the PFOA.

21 Q. But I suppose do you know if everyone within
22 the class area has been impacted to the same
23 degree?

24 A. Well, we've all -- as I said, we've all been
25 subjected to contaminated wells. We've all

1 been affected by the PFOA.

2 Q. Do you know if everyone in the class area has
3 a well that's been contaminated?

4 A. I do not.

5 Q. And do you know if everyone within the class
6 area has had PFOA detected within their blood?

7 A. I do not know that for sure.

8 Q. Okay. What disclosure do you think you'd have
9 to make to a prospective buyer of your home
10 with respect to PFOA?

11 A. Well, I would have to tell them that the home
12 is in a contaminated area and that the well
13 has been contaminated, and they're -- they're
14 subjecting themselves to health issues because
15 of the PFOA.

16 Q. Have you incurred any expenses due to PFOA in
17 groundwater that have not been reimbursed?

18 A. Not that I can recall.

19 Q. Do you believe you will have to incur any
20 expenses in the future due to PFOA in
21 groundwater?

22 MR. WHITLOCK: Objection.

23 You can answer.

24 A. Well, yes, even if -- even if we are connected
25 to town water, we're going to have a water

1 bill that we never had before.

2 BY MR. LOCASTRO:

3 Q. Do you know approximately how much that bill
4 will be?

5 A. I think it's roughly around \$500 for
6 single-dwelling home. I'm not positive.

7 Q. Can you think of any other expenses you might
8 have to incur in the future due to PFOA in
9 groundwater?

10 A. Well, down the road there could be medical
11 expenses, I'm not sure, they we may have to
12 endure based on the PFOA.

13 Q. Anything else you can think of?

14 A. Well, if we do end up selling the home, there
15 could be a loss in revenue from the sale of
16 the home because people don't want to live in
17 that -- they think they can -- either not want
18 to buy the home or they would think they could
19 get a lesser price for the home because of the
20 PFOA.

21 Q. Anything else you can think of?

22 A. Not at the present time.

23 Q. Now, when your home was first built, was
24 municipal water available to you, or did the
25 lines not extend to 54 Cortland?

1 A. The lines I do not -- I believe they were not
2 there. They're not there. We were not
3 offered public water.

4 Q. Had public water been available to you at the
5 time that your home was constructed, would you
6 have installed public water in your home, or
7 would you have preferred the well?

8 A. I would have preferred the well.

9 Q. Okay. Why?

10 A. Well, my -- my association with town water
11 versus well is that the well water is
12 usually -- it tastes better. It's better.
13 And for no other reason I like the well water
14 better.

15 Q. Any other reason?

16 A. And I did --

17 Q. I'm sorry.

18 A. Once I had the well installed, I wouldn't have
19 had a water bill.

20 Q. Any other reason you could think of as to
21 why you would have -- as to why you prefer the
22 well?

23 A. Not that I can recall at the present time.

24 Q. Has the installation of a POET system impacted
25 your estimation of damages?

1 MR. WHITLOCK: Object to the form.

2 A. Could you repeat that? I don't know what --

3 BY MR. LOCASTRO:

4 Q. Yeah, sure. Has -- has -- has the
5 installation of a POET system in your home in
6 any way impacted the -- your estimation of
7 your own damages in this case?

8 A. Well, as far as I'm concerned, it's still --
9 we're still contaminated. We still have the
10 same -- the same damages, and the POET system
11 is -- I don't know how reliable it is anyway.
12 It's installed by humans and maintained by
13 humans, and it has to -- there'd be a cost if
14 I ever had to use only the POET system.

15 Q. So the POET -- the installation of the POET
16 system doesn't really impact your estimation
17 of damages.

18 A. Well, it's still -- we're still damaged.

19 Q. Mm-hmm.

20 A. So, you know, we're still -- I don't think
21 it's -- it's not a good thing. I still think
22 we have the same damages really, because we're
23 still contaminated. We still have the health
24 issues, still have a lot of the same issues.

25 Q. Do you know how a prospective home buyer would

1 view the POET system?

2 MR. WHITLOCK: Object to the form.

3 You can answer.

4 A. Well, here again, they -- they look at it as
5 it's -- they've got poison water coming into
6 their home, and I'm sure they're -- they don't
7 want that, especially if they have children.
8 So it would be viewed as not a positive thing,
9 and it would be a negative thing because they
10 know that the area is contaminated so I'm
11 certain they -- I would not want to buy a home
12 that's in the contaminated area.

13 BY MR. LOCASTRO:

14 Q. Now, would you agree though that the water
15 coming out of the POET doesn't have PFOA
16 detected in it?

17 A. I'm not completely sure that it doesn't. I
18 don't know. I've seen where it says it's
19 non-detect, but here again I'm not positive.

20 Q. Okay. Has PFOA ever been detected in water
21 coming out of the POET?

22 A. I don't think so, no.

23 Q. Would a connection to public water impact your
24 damage estimation?

25 A. No. It's still -- it's still a -- it's a bad

1 deal still because we've still got -- the only
2 thing that's a positive is that it's clean
3 water, but we're going to have to have a water
4 bill. We still got the contamination. We
5 still -- I think people still look at that as
6 a contaminated area. My home's contaminated.
7 So having the POET system really isn't that
8 much of a positive, in my opinion.

9 Q. So having the -- I'm sorry, maybe you
10 didn't -- so having the public water --

11 A. Oh, I'm sorry.

12 Q. -- or municipal water, would that impact your
13 damage calculation?

14 A. No, not really. It's still -- it's still --
15 it's a bill. It's a -- it's a bill I never
16 had before. It's still an expense for me.

17 Q. Okay. We've been talking a lot about your
18 home. I think we're going to change gears now
19 and talk a little bit about you, if that's all
20 right.

21 A. Sure.

22 Q. How old are you, sir?

23 A. 71.

24 Q. And you are not from Bennington; is that
25 correct?

1 A. That's correct.

2 Q. Where did you grow up?

3 A. In Indiana.

4 Q. How long did you live in Indiana for?

5 A. Approximately 37 years.

6 Q. And did you move to Bennington at age 37 or
7 somewhere else?

8 A. No, I moved here.

9 Q. Okay. Where did you live when you first moved
10 here?

11 A. Well, I lived on East Road. I had an
12 apartment there on East Road.

13 Q. And what year do you -- do you recall
14 approximately when you first moved to East
15 Road?

16 A. 1984.

17 Q. And the home on East Road, that -- that was
18 located in Bennington or North Bennington?

19 A. It's still Bennington, I believe.

20 Q. Okay. And did the home on East Road, did that
21 have a well; do you recall?

22 A. Yes.

23 Q. How long did you live at the home on East
24 Road?

25 A. Approximately just about a year.

1 Q. Where did you move to after East Road?

2 A. I bought a home in Pownal, Vermont.

3 Q. And how far from here is Pownal?

4 You'll have to forgive my Vermont
5 geography --

6 A. Yeah.

7 Q. -- or lack thereof.

8 A. The home, I would guess, 8 miles,
9 approximately 8 miles. Something like that.

10 Q. And about how long did you live in Pownal for?

11 A. Four-and-a-half to five years.

12 Q. So this was from approximately 19 --

13 A. '84.

14 Q. -- '84, '85 to 1990?

15 A. Yes, sir.

16 Q. And where did you move to in 1990?

17 A. 9 Jennings Drive in Bennington.

18 Q. So you moved back to Bennington --

19 A. Yes.

20 Q. -- in 1990?

21 And the home at 9 Jennings Drive, did
22 that have a well, as well?

23 A. Yes.

24 Q. Where did you go after 9 Jennings Drive?

25 A. Then I moved to my present home on Cortland

1	Lane.
---	-------

2 Q. So you were at 9 Jennings Drive from about
3 1990 to 1997; is that right?

4 A. Yes, sir.

Row	Bar Length (approx. % of total width)
1	95
2	98
3	25
4	15
5	60
6	30
7	95
8	20
9	100
10	30
11	75
12	15
13	95
14	15
15	35
16	100
17	90
18	25
19	45
20	100

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[illegible]

[illegible]

[illegible]

[illegible]

Row	Category	Value (approximate length)
1	Category 1	10
2	Category 2	20
3	Category 3	60
4	Category 4	10
5	Category 5	90
6	Category 6	30
7	Category 7	20
8	Category 8	40
9	Category 9	20
10	Category 10	70
11	Category 11	95
12	Category 12	85
13	Category 13	10
14	Category 14	60
15	Category 15	60
16	Category 16	30
17	Category 17	70
18	Category 18	10
19	Category 19	95
20	Category 20	30

[illegible]

[illegible]

[illegible]

25 THE WITNESS: Yes, sir.

1 MR. LOCASTRO: -- with your deposition?

2 Great.

3 BY MR. LOCASTRO:

4 Q. So I know before lunch we had moved on a
5 little bit to your medical records, medical
6 history, but if we could, I'd like to mark
7 another exhibit and turn back to your home for
8 just a few moments.

9 MR. LOCASTRO: So could we make this
10 Exhibit 6, I believe, or maybe 7?

11 MR. WHITLOCK: 6.

12 MR. LOCASTRO: 6. Okay.

13 (Deposition Exhibit No. 6 was marked for
14 identification.)

15 BY MR. LOCASTRO:

16 Q. Mr. Knight, Exhibit 6 is a collection of
17 photographs that was produced to us in this
18 litigation, and I ask you to flip through
19 these and just let -- let me know if these are
20 photographs of your home.

21 A. (Witness complying) Yes, they are.

22 Q. Okay. So all of the photographs located --
23 contained within Exhibit 6 are photographs of
24 your home?

25 A. Yes, sir.

1 Q. Okay. If we could just go through a few of
2 these. Ask you kind of what -- what we're
3 looking at here.

4 Am I right -- am I right that the first
5 paragraph is the stairway leading from the
6 first floor of your house to the second floor?

7 A. Yes.

8 Q. And if you turn to the second photo, what are
9 we looking at here?

10 A. That's coming in from the front into this area
11 I was telling you about where we had the
12 hardwood floors going back into the family
13 room.

14 Q. Okay. Has any feature of the family room
15 changed besides you home -- home decor choices
16 since this photo was taken?

17 A. I have a new Lazy Boy.

18 Q. But other than that, it looks the same, right?

19 A. Yeah.

20 Q. Okay. The third photograph here, that's your
21 kitchen, sir?

22 A. Yes.

23 Q. And then the fourth photograph is another view
24 of the living room, right?

25 A. No. That is actually an area up above the

1 entryway that has no purpose.

2 Q. Okay.

3 A. Except my wife liked it so it's -- it's just
4 up there. I had to buy an extra large ladder
5 just to get up there.

6 MR. WHITLOCK: I don't know if we're
7 talking about the same --

8 THE WITNESS: Yeah, this right here.

9 MS. JOELSON: What page?

10 MR. LOCASTRO: I'm sorry. These --
11 they're not numbered. It's -- it's the fourth
12 photograph in the set. Looks like there was a
13 fireplace in the room.

14 THE WITNESS: Oh, I'm sorry.

15 MS. JOELSON: I think we're starting
16 from the back.

17 THE WITNESS: Mine was skipped -- mine
18 was stuck together.

19 MR. LOCASTRO: Oh, okay.

20 THE WITNESS: Yeah, mine was stuck
21 together.

22 BY MR. LOCASTRO:

23 Q. So this photograph here with -- with the
24 fireplace --

25 A. Yes.

1 Q. -- that's the living, correct?

2 A. The family room, yes.

3 Q. Okay. And that's a functional fireplace you
4 have there?

5 A. Yes, sir.

6 Q. Okay.

7 (Off-the-record colloquy.)

8 Q. Photograph five, that's your front door?

9 A. Yes, sir.

10 Q. And then photograph six, that's the little
11 area above --

12 A. Up above, yes, looking -- that picture is
13 taken from the stairway.

14 MR. WHITLOCK: Make sure you let him
15 finish his --

16 THE WITNESS: Okay. I'm sorry.

17 MR. WHITLOCK: -- question. Then you may
18 answer.

19 BY MR. LOCASTRO:

20 Q. What's photograph six, what are we looking at
21 here?

22 A. That is a room -- it's my wife's room. She
23 pays the bills and does things like that.

24 She's a banker, 40 years at the bank. She
25 likes doing all of her stuff in there.

1 BY MR. LOCASTRO:

2 Q. And is that room -- looks like it's
3 wallpapered?

4 A. No, sir. Yes, it is. Yes, that one is. Yes,
5 sir.

6 Q. Are other rooms in your house wallpapered or
7 was it just this one?

8 A. I -- that's the only one, I think.

9 Q. Have you replaced the wallpaper at all since
10 you started living in the house?

11 A. No.

12 Q. So that's the original wallpaper that we see
13 here?

14 A. Yes.

15 Q. And is this room carpeted?

16 A. Yes.

17 Q. About how many rooms in your house, would you
18 say, are carpeted?

19 A. Five.

20 Q. So how many rooms would not be carpeted then?

21 A. Three not counting bathrooms.

22 Q. Okay. Have you replaced the carpet since you
23 started living in your home?

24 A. Yes, we did. We replaced the stairway
25 carpeting and our bed -- and the master

1 bedroom carpeting.

2 Q. Besides the stairway carpeting and the master
3 bedroom carpeting, have you replaced any of
4 the other carpeting in your home?

5 A. No.

6 Q. Let's turn to the next photo, if we could.

7 MS. JOSELSON: Sorry.

8 BY MR. LOCASTRO:

9 Q. This appears to be a hallway.

10 A. Yes.

11 Q. Is this in the upstairs or downstairs of your
12 home?

13 A. Upstairs.

14 Q. And this upstairs hallway is carpeted, right?

15 A. Yes.

16 Q. And this is the carpeting that you replaced
17 since living in the house, right?

18 A. Yes.

19 Q. Do you recall when you replaced that carpet?

20 A. No, I don't, sir.

21 Q. Okay. What's the next photo here? It looks
22 like a bedroom.

23 A. It is. It's a --

24 Q. Is this a master bedroom?

25 A. No, sir. That's a -- one of the spare

1 bedrooms.

2 Q. Okay. And this is located on the first or
3 second floor of the house?

4 A. Second floor.

5 Q. What's the next photo?

6 A. This is the upstairs bathroom.

7 Q. Have you done any remodelling in that bathroom
8 since you started living in the house?

9 A. No. Other than this window is one we replaced
10 I referred to earlier.

11 Q. Okay. What's the next photo? Looks like
12 there's a bed in the room.

13 A. That is the master bedroom.

14 Q. Okay. And have you done any remodeling in the
15 master bedroom besides replacing the carpet
16 that we already discussed?

17 A. We painted that.

18 Q. And do you recall when approximately you
19 painted?

20 A. Five years ago maybe. I'm not sure exactly.

21 Q. Okay. The next photo, is that another view of
22 the master bed or that's a different room?

23 A. Yeah. That's a view of the master bedroom
24 looking into the walk-through closet.

25 (Off-the-record colloquy.)

1 Q. So the master bedroom has a walk-in closet you
2 said, right?

3 A. Walk-through closet.

4 Q. Walk-through closet. Okay.

5 Do other bedrooms in your home have a
6 walk-through or walk-in closet?

7 A. Yes.

8 Q. How many?

9 A. Two bedrooms have walk-in closets. Not
10 walk-through.

11 Q. Okay. So two of the bedrooms in your home
12 have walk-in closets, and the master bedroom
13 as a walk-through closet; is that right?

14 A. Yes.

15 Q. Okay. The next photo appears to be a
16 bathroom.

17 Is this the master bath or something
18 else?

19 A. That's master bath.

20 Q. And have you done any remodeling in the master
21 bath since you started living in your home?

22 A. We -- no.

23 Q. Okay. The next photo that appears to be a
24 tub.

25 Is that located in the master bath?

1 A. Yes.

2 Q. What's the next photo here?

3 A. That's my man cave.

4 Q. And where in the house is the man cave
5 located?

6 A. It's down at the end of the hall from the
7 master bedroom. It's over the garage.

8 Q. Okay. And the next photo is just another view
9 of the man cave there?

10 A. Yes.

11 Q. What's the next photo?

12 A. That is a bedroom that my wife has turned into
13 a kid's playroom and a catchall room,
14 whatever.

15 Q. Okay. The last photo, that's a view of your
16 front door and the area above it, right?

17 A. Yes. That's up above the stairs looking down
18 on the -- the doorway and that room I was --
19 that area I was telling you about.

20 Q. Okay. Is the next photo your kitchen?

21 A. Yes.

22 Q. And that's a tiled kitchen I see there, right?

23 A. Linoleum.

24 Q. Linoleum. Is that the original linoleum when
25 the house was built or has that been replaced?

1 A. I believe that's the original.

2 Q. What am I looking at in this next photo?

3 Looks like there's two doors and couch in the
4 photo?

5 A. That is the family room looking out on to the
6 back screened in porch.

7 Q. And this is the back screened in porch that
8 you had added on to the house in, I believe it
9 was the late 2000s?

10 A. No. This is the porch that we had the new --
11 a synthetic flooring put it.

12 Q. Okay.

13 A. The new patio I don't have a -- is to the left
14 there.

15 Q. I see. And are those doors that lead out on
16 to the porch, those are original with the
17 house?

18 A. Yes.

19 Q. I see the next photo has your cat looking from
20 the top of the stairwell there?

21 A. Yeah.

22 Q. Okay. And then the final photo, what -- what
23 am I looking at here?

24 A. That is the downstairs half bath.

25 Q. Okay. And have you replaced the tile or

3 A. Yes. We -- that's the tile we replaced I
4 referred to --

6 A. -- and we painted the walls in that bathroom.

[illegible]

25

[illegible]

Category	Percentage
1. 100%	100%
2. 100%	100%
3. 100%	100%
4. 100%	100%
5. 100%	100%
6. 100%	100%
7. 100%	100%
8. 100%	100%
9. 100%	100%
10. 100%	100%
11. 100%	100%
12. 100%	100%
13. 100%	100%
14. 100%	100%
15. 100%	100%
16. 100%	100%
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Row	Small Square	Large Square	Bar Length (approx. % of total width)
1	■	■	15
2	■	■	85
3	■	■	25
4	■	■	15
5	■	■	85
6	■	■	100
7	■	■	25
8	■	■	15
9	■	■	85
10	■	■	65
11	■	■	15
12	■	■	95
13	■	■	25
14	■	■	85
15	■	■	100
16	■	■	90
17	■	■	95
18	■	■	25
19	■	■	15
20	■	■	60
21	■	■	75
22	■	■	100
23	■	■	20
24	■	■	95
25	■	■	90

[illegible]

Row	Category	Value (approximate)
1	A	10
2	B	45
3	C	20
4	D	35
5	E	10
6	F	55
7	G	25
8	H	15
9	I	40
10	J	30
11	K	50
12	L	20
13	M	55
14	N	10
15	O	50
16	P	45
17	Q	10
18	R	55
19	S	30
20	T	15
21	U	60
22	V	35
23	W	40
24	X	45
25	Y	10

Row	Bar Length (approx. % of total)
1	95
2	98
3	75
4	15
5	85
6	35
7	65
8	80
9	70
10	60
11	10
12	100
13	15
14	35
15	98
16	50
17	60
18	95
19	10
20	98
21	55
22	65
23	10
24	90
25	10

[illegible]

Question	Percentage of 'Yes' Responses
Has your business experienced a decrease in sales since the pandemic began?	90%
Has your business experienced an increase in sales since the pandemic began?	10%
Has your business experienced a decrease in profit since the pandemic began?	85%
Has your business experienced an increase in profit since the pandemic began?	15%
Has your business experienced a decrease in customer traffic since the pandemic began?	80%
Has your business experienced an increase in customer traffic since the pandemic began?	20%
Has your business experienced a decrease in employee productivity since the pandemic began?	75%
Has your business experienced an increase in employee productivity since the pandemic began?	25%
Has your business experienced a decrease in employee morale since the pandemic began?	85%
Has your business experienced an increase in employee morale since the pandemic began?	15%
Has your business experienced a decrease in customer satisfaction since the pandemic began?	70%
Has your business experienced an increase in customer satisfaction since the pandemic began?	30%
Has your business experienced a decrease in employee satisfaction since the pandemic began?	80%
Has your business experienced an increase in employee satisfaction since the pandemic began?	20%
Has your business experienced a decrease in customer loyalty since the pandemic began?	75%
Has your business experienced an increase in customer loyalty since the pandemic began?	25%
Has your business experienced a decrease in employee loyalty since the pandemic began?	85%
Has your business experienced an increase in employee loyalty since the pandemic began?	15%
Has your business experienced a decrease in customer retention since the pandemic began?	70%
Has your business experienced an increase in customer retention since the pandemic began?	30%
Has your business experienced a decrease in employee retention since the pandemic began?	80%
Has your business experienced an increase in employee retention since the pandemic began?	20%
Has your business experienced a decrease in customer repeat business since the pandemic began?	75%
Has your business experienced an increase in customer repeat business since the pandemic began?	25%
Has your business experienced a decrease in employee repeat business since the pandemic began?	85%
Has your business experienced an increase in employee repeat business since the pandemic began?	15%

[illegible]

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Row	Bar Length (approx. % of total width)
1	10
2	35
3	15
4	85
5	90
6	15
7	30
8	100
9	90
10	15
11	35
12	100
13	90
14	15
15	35
16	85
17	15
18	35
19	85
20	35
21	15
22	35
23	85
24	15
25	35

[illegible]

Row	Bar Length (approx. % of total width)
1	45
2	95
3	85
4	35
5	15
6	95
7	25
8	15
9	90
10	90
11	25
12	45
13	100
14	100
15	85
16	50
17	60
18	80
19	15
20	55
21	20
22	40
23	15
24	60

[illegible]

[illegible]

24 Q. I'm going to mark an exhibit here. Just
25 change gears a little bit.

1 (Deposition Exhibit No. 7 was marked for
2 identification.)

3 BY MR. LOCASTRO:

4 Q. I've just handed you, Mr. Knight, this is an
5 article from the VT Digger.

6 Is that -- does that -- does that appear
7 to be correct?

8 A. Yeah. I think it stands for Vermont Digger.

9 Q. Okay. And it says Teflon Town: Part 4?

10 A. Yes.

11 Q. If you could turn to the -- I guess the pages
12 aren't numbered here, but it's one, two,
13 three -- turn the page four times. You see
14 there's a section that says, development
15 stalls, real estate sales nominal?

16 A. Yes, I found it.

17 Q. Okay. Now, if you look over one page, about
18 midway down it -- there's a paragraph that
19 says: Much of the area.

20 Do you see where I'm looking here?

21 A. Yes.

22 Q. Okay. So it says here, much of the area was
23 outside the 1.5 mile radius suspected in 2016
24 of having been contaminated until well testing
25 proved otherwise. Knight said he is 70 and

1 not overly worried about future health
2 effects. But he said his wife always drank
3 bottled water and had a very low PFOA blood
4 level, while his registered 58 micrograms per
5 liter. Well above the national average. The
6 bottled water and carbon filtering units paid
7 for by Saint-Gobain have stabilized the
8 situation, Knight said, but he will not recoup
9 the cost of a 634-foot well and will have to
10 pay for town water if the area is linked to
11 the village water system.

12 Did I read those paragraphs correctly?

13 A. Yes, sir.

14 Q. Was this an accurate -- well, first of all, is
15 the Knight being referred to in the article,
16 is that referring to you?

17 A. I think so, yes. I'm not -- I do kind of
18 remember that.

19 Q. And do you recall speaking with the author of
20 this article? I believe it says it's a Jim
21 Therrien on the first page, T-h-e-r-r-i-e-n,
22 in connection with this article?

23 A. Yes. That was a phone call, yes.

24 Q. And I see that the -- the language here, it's
25 not in quotes, but is this an -- is -- does

1 the article report an accurate description of
2 what you told the -- of what you told Mr.
3 Therrien?

4 A. I don't think I said that I'm not overly
5 worried about the future health effects,
6 because I always have been. I don't -- I
7 don't think I said that.

8 Q. Okay. Did you -- do you recall reading this
9 article when it first came out?

10 A. No. I don't normally read the Vermont Digger.

11 Q. Okay. So you never wrote a letter to the
12 editor to complain that you weren't quoted
13 accurately in this article?

14 A. No. I --

15 MR. WHITLOCK: Object to the form.

16 Go ahead.

17 A. No, and I don't remember reading this article,
18 sir.

19 BY MR. LOCASTRO:

20 Q. Okay.

21 A. I don't -- like I said, I don't read the
22 Vermont Digger.

23 Q. So -- so do you believe that you -- that you
24 were quoted inaccurately in this article?

25 A. I would say so because --

1 MR. WHITLOCK: Object to the form. Mr.
2 Knight's not quoted in this article.

3 A. Yes, because I wouldn't have said that I'm not
4 concerned about health effects, which isn't
5 true.

6 BY MR. LOCASTRO:

7 Q. Will you contact the paper or the author to
8 complain?

9 A. Did I?

10 Q. No, no. Will you?

11 A. I can, yes. And also, they have my -- it's
12 wrong, the 58 micrograms per liter in my blood
13 there.

14 Q. What is your PFOA blood level? What was it
15 tested for?

16 A. 38 --

17 MR. WHITLOCK: Object -- I'm sorry, go
18 ahead.

19 Asked and answered.

20 But you can go ahead.

21 A. 38.3.

22 BY MR. LOCASTRO:

23 Q. Okay.

24 A. So that's incorrect also.

25 Q. Now, the article does mention that your --

1 that your wife always drank bottled water and
2 had a very low PFOA blood level?

3 A. Yes.

4 Q. Is -- is -- is that accurate?

5 A. Yes.

6 Q. Do you know what your wife's PFOA blood level
7 is?

8 A. It's 2.8, I -- it's 2 point something. I
9 believe it was 2.8.

10 Q. Okay.

11 A. I know it's lower -- much lower than mine.

12 MR. LOCASTRO: Let's mark another exhibit
13 here if we could.

14 (Deposition Exhibit No. 8 was marked for
15 identification.)

16 MS. JOSELSON: Is there a date?

17 MR. LOCASTRO: There's -- there's --
18 there's no date on that article for some
19 reason.

20 MS. JOSELSON: Right.

21 BY MR. LOCASTRO:

22 Q. Do you recognize the next exhibit, Mr. Knight?

23 A. Yes.

24 Q. What is it?

25 A. Well, it's -- it's the declaration that I read

1 and signed in support of plaintiff motion in a
2 class certification.

3 Q. What role did you have in preparing this
4 document?

5 A. Well, providing the information. I provided
6 the information as to my blood levels and --

7 Q. So is it correct that you provided the
8 information in -- in your declaration, but
9 somebody else prepared it?

10 A. Yes. I did not prepare it.

11 Q. Did you review the document before you signed
12 it?

13 A. Yes, I did.

14 Q. And you understand that everything you swore
15 in this document is true, correct?

16 A. Yes.

17 Q. Okay.

18 MR. WHITLOCK: I'm going to object to the
19 form of that question for the record.

20 BY MR. LOCASTRO:

21 Q. Do you understand yourself to be representing
22 the exposure class in this action?

23 A. Yes.

24 Q. Do you understand yourself to be representing
25 the property damage class in this action?

1 A. Yes.

2 Q. What's your understanding of what this lawsuit
3 is about, Mr. Knight?

4 A. Can you rephrase that? Do you mean why is the
5 lawsuit being -- why is the lawsuit or what
6 are we suing for?

7 Q. Yeah. What do you believe you're suing for?

8 A. Well, the lawsuit is because of the
9 contamination that -- in our zone of
10 contamination that PFOA from ChemFab has
11 poisoned our wells and, you know, affected our
12 health and affected the -- the -- our price of
13 our homes and our quality of enjoying our --
14 our land. It's an annoyance and stressful.

15 Q. And what's your understanding of what the
16 lawsuit alleges that Saint-Gobain or ChemFab
17 did wrong?

18 A. Well, their mishandling of their manufacturing
19 procedure placed the poisonous PFOA into the
20 air and also into the -- their drains, which
21 contaminated all of our wells.

22 Q. What do you understand to be the relief that
23 you're asking the court to provide the class
24 members?

25 A. Well, we're asking for -- be connected to town

1 water and property damages, personal property
2 damages, a medical monitoring system be set
3 up, and out-of-pocket expenses we might have
4 and try to assure that the -- the problem's
5 been fixed.

6 Q. What do you understand to be your duties or
7 duty as a representative of the putative
8 class?

9 A. Well, I've tried to stay abreast of all --
10 what's going on, on all the -- with the --
11 with the lawsuit. I've talked with the legal
12 counsel as to what's going on with the
13 lawsuit, and I'm making appearances here, for
14 example. I try just to understand everything
15 that's going on, any changes or progressions
16 that might be made in the lawsuit.

17 Q. When did you first learn what PFOA was?

18 A. Probably -- well, when it was on the TV and
19 the newspapers when it first started over in
20 Hoosick Falls. I'm not sure when that was,
21 2015 or before. I'm not sure. But then it
22 started coming over here into Vermont over in
23 North Bennington first early in 2016.

24 Q. Did you take any action when you first heard
25 about PFOA?

1 MR. WHITLOCK: Object to the form. Vague
2 and ambiguous.

3 A. Not when I -- not when I heard about it in New
4 York. I was following it because I thought it
5 was a terrible thing, and I was trying to
6 understand what it was. But at that time,
7 when I first heard about it, I didn't know it
8 was going to come over here.

9 BY MR. LOCASTRO:

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■ ■ [REDACTED]

6 Q. Let's talk a little -- let's change gears a
7 little bit here.

8 Before PFOA was detected in your well
9 water, can you tell me all the different ways
10 in which you used your well water?

11 A. Before PFOA?

12 Q. Yes, sir.

13 A. Well, before PFOA I -- we ingested it; used it
14 in cooking; shower; laundry; watered the yard;
15 cleaning different things, whatever, you know,
16 soap and water, whatever we cleaned. Just all
17 the normal things you would use the water for
18 before we knew of the PFOA.

19 Q. How did your water usage change following the
20 detection of PFOA in your well water?

21 A. I probably drink a little bit more water
22 because it's so readily there with the bottled
23 water and the dispenser, and I just know that
24 I should drink water for good health.

25 Q. Do you still bathe with the water in your

2 A. Yes.

5	A. No.
---	--------

8	A. Yes.
---	---------

[illegible]

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[illegible]

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[REDACTED]

[REDACTED]

[REDACTED]

11 Q. Okay. Do you have an understanding of what

12 the ChemFab facility made when it was

13 operating at 1030 Water Street?

14 A. Yeah, I have -- I don't have a professional

15 opinion, but I know kind of what they did

16 there.

17 Q. And what's your understanding?

18 A. They -- they coated these fiberglass fabrics

19 with the Teflon coating, and then they dipped

20 them in another liquid. I think it was a

21 liquid fluid coating, and then they were --

22 it's fused and baked in an oven, and then all

23 of that -- the waste went out through the

24 stacks and also into their drains, the grease

25 and oil and so forth.

1 Q. When did you first -- when did you first
2 develop that understanding?

3 A. When I was just curious as to -- when I found
4 out what they were doing. Then I was just
5 curious, so I investigated it a little bit.

6 Q. Sure. Do you recall approximately when that
7 was?

8 A. No, sir, I don't.

9 Q. Was it within the last year, two years, five
10 years?

11 A. Probably the last year, I'd guess.

12 Q. Was it while -- was it while the facility --
13 did you know what the facility did while it
14 was open?

15 A. No.

16 Q. Did you have any understanding that the
17 ChemFab facility used Teflon while it was
18 open?

19 A. No.

20 Q. Do you know who the other named plaintiffs are
21 in this lawsuit?

22 A. Yes, I -- I know who they are.

23 Q. Have you discussed this litigation with them?

24 A. Not much, no. I haven't really discussed it
25 with -- with them very much at all.

1 Q. Have you ever had discussions with Bennington
2 residents about PFOA?

3 A. Yes.

4 Q. Have you ever had discussions with Bennington
5 residents about Saint-Gobain or ChemFab?

6 A. Just in relation to the PFOA.

7 Q. And what do -- what do you talk about
8 generally when you discuss ChemFab or PFOA
9 with other Bennington residents? What's the
10 nature of these discussions?

11 MR. WHITLOCK: Object to the form.

12 A. Well, the topic of the -- the PFOA will come
13 up, and in -- you know, it will come up for
14 various reasons, and people will just ask me
15 if I have it up there, if it's in my
16 neighborhood. And they'll ask my opinion of
17 it, or they'll give their opinion. Just
18 general conversation. It's, you know, it's in
19 the news and here in town. It's in the
20 newspapers, and people may refer to newspaper
21 articles.

22 BY MR. LOCASTRO:

23 Q. Do you know Sharon Jones?

24 A. Not by name, no.

25 Q. Do you know Bishop Robinhood Green?

1 A. No.

2 Q. Have you ever communicated with any member of
3 any government agency about PFOA or
4 Saint-Gobain or ChemFab?

5 A. Yes.

6 Q. When did you have these communications?

7 A. Well, when we first started checking our
8 wells, of course, John Schmeltzer. I
9 communicated with him. He is an analyst for
10 the Vermont Department of Environmental
11 Conservation.

12 Q. Did you reach out to Mr. Schmeltzer or Mr.
13 Schmeltzer reached out to you?

14 A. He reached out to me.

15 Q. And do you recall when approximately this was?

16 A. I would say in the spring of 2016. I'm not
17 sure exactly. It was when they started to
18 check our wells is when it was.

19 Q. So Mr. Schmeltzer reached out to you in
20 connection with having your well tested for
21 PFOA; is that correct?

22 A. Yes.

23 Q. Okay. Have you had communications with other
24 members of the government regarding PFOA or
25 ChemFab or Saint-Gobain?

1 A. Yes.

2 Q. And who?

3 A. I have arranged meetings with some of the
4 state representatives, Dick Sears and Brian
5 Campion, Mary Morrissey. Some of those
6 people. We had meetings, and they were at
7 some of our meetings.

8 Q. Any other members of the government that
9 you've communicated with?

10 A. Richard Spiese and Peter Walke.

11 Q. Anyone else that you can recall?

12 A. I -- I have talked to some of the people that
13 come to work on the wells and so forth or on
14 the POET system, but I really don't know their
15 names or what their position is.

16 Q. Okay.

17 MR. LOCASTRO: We're going to mark
18 another exhibit here.

19 Let's make this 9, please.

20 (Deposition Exhibit No. 9 was marked for
21 identification.)

22 BY MR. LOCASTRO:

23 Q. Do you recognize Exhibit 9, Mr. Knight?

24 A. Yes, I do.

25 Q. And what -- what are we looking at here?

1 A. Let me make sure. I believe this is -- yeah,
2 this is the letter that I wrote to various
3 agencies telling them of our concern in the
4 Apple Hill Homeowners Association that
5 although we were outside of the
6 mile-and-a-half radius they had said they were
7 going to check wells, we felt like that was
8 somewhat arbitrary, and we were close enough
9 that we felt -- to the mile and a half, that
10 we should be included in having our wells
11 tested also.

12 Q. I don't see an addressee on this letter.
13 Maybe I'm missing it, but do you -- do you
14 recall who this letter was sent to?

15 A. I sent this to various people. I think I --
16 I'm pretty sure I sent it to the governor; to
17 the Department of Environmental Conservation;
18 to Stuart Hurd, who's our town manager; to, as
19 I said -- excuse me -- Brian -- our
20 representative Brian Campion; Mary Morrissey;
21 Dick Sears; to those people, just anybody that
22 I thought could help me get our wells tested
23 also.

24 Q. Now, after you sent this letter on April 1st,
25 2016, was your well tested for the presence of

1 PFOA?

2 A. Yes.

3 Q. And was your well tested -- did someone
4 respond to this letter saying that your well
5 would be tested?

6 A. Yes.

7 Q. Who specifically responded to this letter?

8 A. I specifically remember -- it seems like it
9 was Saturday night, I don't know, but Dick
10 Sears e-mailed me, the representative --

11 Q. Mm-hmm.

12 A. -- saying that, yes, we -- they are going to
13 agree to test your wells in Apple Hill.

14 Q. Now, if you look in the middle of this letter,
15 PFOA is bolded three times. I'm looking right
16 at that sentence that contains the third PFOA,
17 and it says if PFOAs were dumped in the
18 Bennington transfer station on Houghton Lane,
19 as has been discussed, our neighborhood is in
20 very close to the transfer station.

21 Did I read that right?

22 A. Yes.

23 Q. What is the transfer station -- the Bennington
24 transfer station on Houghton Lane that you're
25 referring to there?

1 A. Well, that is also called the landfill or the
2 dump or whatever you -- it's different names.
3 It's the -- it's land -- the landfill up
4 there.

5 Q. So what did you mean when you -- when you --
6 when you wrote this sentence?

7 A. Well, this was very early on before we really
8 had much knowledge at all. And this just --
9 we thought that maybe it -- the PFOA could be
10 coming either from the smoke stack or the
11 stacks of ChemFab, or it even could be coming
12 from the transfer station. We didn't know.
13 This was very early on.

14 Q. Do you still think that PFOA could be coming
15 from the landfill?

16 A. It could be. I'm not positive.

17 Q. Okay. Let's put this -- let's put Exhibit 9
18 to the side for now, and I'm going to mark
19 another -- another document, if I could.

20 MR. LOCASTRO: Let's make this one 10,
21 please.

22 (Deposition Exhibit No. 10 was marked for
23 identification.)

24 BY MR. LOCASTRO:

25 Q. Do you recognize Exhibit 10, Mr. Knight?

1 A. Not yet. Let me -- let me read it.

2 Q. Yeah, of course, please. Take your time.

3 A. I remember this. I honestly don't remember
4 whether I did testify by phone or not. I -- I
5 seem to think that I did not.

6 Q. Okay. And just so the record's clear,
7 Exhibit 10, this is an e-mail that Brian
8 Campion, C-a-m-p-i-o-n, sent to you on
9 January 18, 2017, right?

10 A. Right.

11 Q. And the subject of the e-mail is S.10 correct?

12 A. Yes.

13 Q. Who is Brian Campion?

14 A. He is a state representative.

15 Q. And do you know how Senate --

16 A. Senator. No, I'm sorry, he's a senator.

17 Q. Okay. And do you know how Senator Campion
18 came to have your contact information?

19 A. Well, yes. We had -- as I said, whenever we
20 were reaching out to everyone to try to get
21 our well, he was one of the people that I had
22 contacted trying to get help on this issue.

23 Q. And -- and the e-mail -- in the e-mail Senator
24 Campion asks if you would provide testimony on
25 Senate Bill 10, correct?

1 A. Yes.

2 Q. And is it right that you did not provide
3 testimony on Senate Bill 10?

4 A. I don't remember for sure, sir. I -- for some
5 reason I think I had something else going on,
6 and I could not do it. I don't think I did.
7 I'm not positive.

8 Q. Do you know what Senate Bill 10 was meant to
9 address?

10 A. I don't remember now, sir. I probably did at
11 the -- I know I did at the time, but I'm --
12 I'm not sure what it is now.

13 Q. Did you and Senator Campion have any
14 discussions about Senate Bill 10?

15 A. I -- I don't remember, sir. We had a lot of
16 meetings. I don't remember for sure.
17 Probably we did. I mean, a lot of these
18 things I -- there's been so many of them, I
19 don't remember.

20 Q. Okay.

21 MR. WHITLOCK: I'm going to object to the
22 entire line of questioning on Exhibit 10 and
23 move to strike all the questions and answers.

24 BY MR. LOCASTRO:

25 Q. Ever communicated with any Saint-Gobain or

1 ChemFab employee regarding PFOA or company
2 operations?

3 A. No. I really -- I -- I really never really
4 knew anybody closely that worked there. I've
5 since had just brief conversation with --

6 MR. WHITLOCK: Just so the record's
7 clear, my objection as to this last exhibit,
8 Senate Bill 10, has no relevance to this
9 action.

10 MR. LOCASTRO: Okay.

11 MR. WHITLOCK: Counsel's just on a
12 fishing expedition, and so again motion to
13 strike.

14 MR. LOCASTRO: Okay. I -- I just want to
15 state for the record that the objections are
16 limited to form. So thanks for the colloquy,
17 and we'll move on here.

18 MR. WHITLOCK: Counsel, I'll make my
19 record as I choose. You can proceed with your
20 deposition.

21 MR. LOCASTRO: I will.

22 MR. WILSON: I'd like to add for the --
23 for the record with regard to Mr. Whitlock's
24 comment, that Miss Joselson has submitted
25 testimony with regard to S.10 in relation to

MS. JOSELSON: Yeah, it isn't S.10, and this whole deposition is a fishing expedition. It's outrageous that you're taking all of our time to ask these questions that are not likely to lead to the discovery of relevant evidence. Absolutely outrageous.

Q. Do you understand S.10 to be related to Saint-Gobain?

A. As I said, sir, I don't remember exactly what S.10 was.

[illegible]

[illegible]

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Row	Bar Length (approx. %)
1	15
2	75
3	20
4	85
5	25
6	35
7	70
8	50
9	30
10	100
11	10
12	35
13	40
14	20
15	40
16	30
17	40
18	40
19	70
20	45
21	10
22	30
23	40
24	55
25	10

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A horizontal bar chart titled "U.S. should take action to address climate change" showing the percentage of respondents who believe the U.S. should take action to address climate change. The chart is broken down by age group (18-29, 30-49, 50-69, 70+) and gender (Male, Female). The y-axis lists 20 categories, each corresponding to a specific age and gender group. The x-axis represents the percentage, ranging from 0% to 100%.

Category	Percentage
18-29 Male	45%
18-29 Female	95%
30-49 Male	30%
30-49 Female	55%
50-69 Male	40%
50-69 Female	35%
70+ Male	15%
70+ Female	40%
18-29 Male	65%
18-29 Female	25%
30-49 Male	65%
30-49 Female	55%
50-69 Male	50%
50-69 Female	35%
70+ Male	35%
70+ Female	30%
18-29 Male	25%
18-29 Female	65%
30-49 Male	95%
30-49 Female	40%
50-69 Male	55%
50-69 Female	15%
70+ Male	65%
70+ Female	30%
18-29 Male	65%
18-29 Female	95%
30-49 Male	45%
30-49 Female	15%

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1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	88	89	90	91	92	93	94	95	96	97	98	99	100
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	32	33	34	35	36	37	38	39	40	41	42	43	44	45	46	47	48	49	50	51	52	53	54	55	56	57	58	59	60	61	62	63	64	65	66	67	68	69	70	71	72	73	74	75	76	77	78	79	80	81	82	83	84	85	86	87	8												

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THE VIDEOGRAPHER: The time is now

approximately 3:02 p.m. Going back on the record.

MR. LOCASTRO: Mr. Knight, I just have a few last follow-up questions for you. Then I think we can wrap up here today.

THE WITNESS: Okay.

BY MR. LOCASTRO:

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[REDACTED]

THE VIDEOGRAPHER: Nobody else?

The time is now approximately 3:05 p.m.

This completes today's testimony of Billy J. Knight.

Going off the record.

ACKNOWLEDGMENT OF DEPONENT

I have read the foregoing transcript of my deposition and except for any corrections or changes noted on the errata sheet, I hereby subscribe to the transcript as an accurate record of the statements made by me.

BILLY J. KNIGHT

SUBSCRIBED AND SWORN before and to me
this ____ day of _____, 20__.

NOTARY PUBLIC

My Commission expires:

CERTIFICATE

I, Beth Gaige, a Registered Professional Reporter, hereby certify that the within-named deponent was sworn to testify the truth, the whole truth, and nothing but the truth in the aforementioned cause of action.

I further certify that this deposition was stenographically reported by me and later reduced to print through computer-aided transcription, and the foregoing is a full and true record of the testimony given by the deponent.

I further certify that I am a disinterested person in the event or outcome of the above-named cause of action.

IN WITNESS WHEREOF, I subscribe my hand and affix my seal this 13TH day of April 2018.



Beth Gaige, RPR

Notary Public

My commission expires:

August 22, 2019

IN RE: SULLIVAN, et al. vs. SAINT-GOBAIN

PAGE	LINE	CORRECTION AND REASON
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BILLY J. KNIGHT

[& - 268,000]

Page 1

&	10:51 63:2	1989 131:20 171:1	2009 124:13,16
& 1:16 2:4,8,12,17 2:21 4:17	10th 4:14	1990 74:3,6 101:14	128:16
0	11 69:19 70:24 78:8	101:16,20 102:3,6	2011 51:4
00125 1:6 5:3	11/10/52 104:12	1993 131:18	2012 136:25
0017 78:11 79:5	11/15/2004 79:6	1995 30:15	2013 127:12
0018 78:18	111 2:5 73:6,9 74:5,9,13	1996 36:7	2014 10:7 54:4 124:10 125:20 127:12 128:24 129:2
0020 69:16	113 3:16	1997 30:7,9 46:5 102:3	2015 156:21
0021 69:23	11:45 112:15	19th 104:20 105:3	2016 3:20 47:18 63:8,15 64:1,4,10 64:25 65:2,17,24 137:9 149:23 156:23 157:15 165:1 188:16 190:25
0022 70:13	12:52 112:20	1:56 172:20	2017 42:6 65:5 66:8 69:20 70:7 70:24 72:22 76:17 77:10,23 78:8 110:25 111:8 112:9 193:9
0041 36:21 68:18 68:24	12th 110:6	1st 190:24	2018 1:18 4:14 77:22,23 215:18
0046 35:23	13th 215:17	2	2019 215:23
0048 57:12	14 35:20 69:11 137:9	2 3:11 66:14,15,16 69:14 112:21 126:14 153:8	206 2:9
0050 59:4	149 3:17	2,4 25:5	21 2:9
05201 2:13	15 47:11 55:21	2,4,5 25:3	212.849.7000 2:19 2:23
05753 2:5	1500 174:4	2.8 153:8	22 215:23
06 130:10	153 3:19	2.8. 153:9	220 48:22 106:18 106:21
1	15th 137:9	20 39:15,17,20 106:19,20 125:2 165:22 176:25 181:21 214:13	225 106:15
1 3:10,20 30:19 35:12,15 57:9 66:6 68:7 86:16 112:16	16 105:4 131:16,17 164:11	20's 133:14	22nd 105:10
1,3 25:1	16th 136:18	200 48:20	240,000 88:19 89:4 89:6 90:6,13
1.5 149:23	17 110:6 175:1,10	2000 42:6 126:14 180:21,22 181:14	25 131:13,18
10 1:18 3:21 30:17 32:8,13,20 42:9 192:20,22,25 193:7,25 194:3,8 194:14,22 195:8	18 163:5 193:9	2000s 122:9	25th 105:4 136:20
100 48:22	180,000 41:15	2002 105:5	268,000 75:8
10010 2:18,22	189 3:20	2004 75:13 76:24 77:1	
1030 82:17,21 83:6 185:13	19 30:15 101:12	2005 66:10 67:6 68:5	
105 63:25	1919 136:18	2006 9:18 10:7 127:14 130:12	
108 83:10	192 3:21	2008 35:20 57:17 59:8 66:5 68:8,10 68:14 69:11 70:3 86:15,22 87:23 88:2,7 105:11	
109 3:15 73:5,9 74:5,9,12	1925 136:20		
10:32 62:23	1945 103:6 104:4		
	1968 17:11 102:16		
	1975 102:19 103:16		
	1977 104:20		
	1982 17:11		
	1984 9:18 100:16 103:19 171:1		
	1985 138:2		

[268,400 - ago]

Page 2

268,400 78:12	401 15:6 212:17	802.442.6341 2:14	acrylamide 25:9
2700 30:5	45 103:6	81 126:25	actinomycin 183:3
28 34:16	5	828.622.0044 2:10	action 1:5 5:3
28801 2:9	5 3:15 45:1 109:19	84 101:13,14	154:22,25 156:24
28th 104:5	109:21,22	85 101:14	195:9 196:1 215:6
29 34:16	50 126:10 133:14	89 137:13	215:15
2:14 172:23	133:16 134:19	9	active 82:18,22
2:51 209:23	146:7	9 3:20 42:24 43:1	83:7,11,12 165:14
3	500 95:5	44:1,2 101:17,21	activities 83:3
3 3:12 66:18,20,22	507 1:17 2:13 4:18	101:24 102:2	145:14
67:1,5 71:6,18	51 2:18,22	189:19,20,23	activity 79:24 80:8
72:2	54 3:11 29:5 31:1	192:17	80:12,13
30 32:18 89:18,24	35:19 61:21 67:14	9:31 1:18 4:15	actual 14:20
90:2,4 165:23	67:17 69:19 95:25	a	add 195:22 206:19
300,000 70:24	58 150:4 152:12	a.m. 1:18 4:15	added 89:1 122:8
30th 103:6 105:7,8	5:16 1:6 5:3	62:23 63:2 112:15	addiction 180:2,3
31st 103:6	5th 138:2	abdomen 123:17	address 9:10 29:4
32 32:3	6	ability 80:16	67:14 170:9 194:9
325 126:25	6 3:3,16 68:5	abreast 156:9	addressee 190:12
325,000 68:5	113:10,11,12,13	absolutely 183:7	administered 5:24
35 3:10 31:24 32:3	113:16,23	196:7	advanced 8:11,11
35,000 41:10,15	634 46:9 150:9	accurate 10:16	aerosols 25:7
352 61:6	66 3:11,12	18:23 57:15,18	affect 54:20 88:3
352,000 61:9	6th 67:5	86:23 87:18	93:12
365,000 85:2,17,25	7	103:14 150:14	affix 215:17
37 100:5,6	7 3:17 113:10	151:1 153:4 214:6	aforementioned
370 86:1	149:1	accurately 59:7	215:6
370,000 69:10 85:3	70 149:25	151:13	age 51:24 100:6
85:17 87:23	70,000 85:3	ache 179:7	131:16,17
38 152:16 161:24	71 99:23	aches 178:24	agencies 190:3
162:1,2	75 11:15,15	179:5	agency 188:3
38.3. 152:21	78 3:14	acknowledgment	agent 25:12
3:02 210:1	8	214:1	agents 26:25 27:2
3:05 213:3	8 3:19 101:8,9	acquired 50:22	27:6
4	153:14 164:12	52:6 53:25	ago 47:11 53:3
4 3:14 78:2,24	8,000 41:16	acre 30:19 42:9,22	54:10 55:15,22
79:10 149:9	80 7:17	43:20,21 44:21	106:17,19,20
4/10/2018 216:3	802.388.6356 2:6	acres 30:17 32:8	119:20 130:17,17
40 116:24		32:13,20 42:24	131:13,18 134:19
		43:1 44:1,2 45:1	171:18 172:3,10
			172:15 175:15,16

178:18,19 179:13 181:14 agree 4:12 10:23 31:6,23 32:10,17 35:18 36:11 37:15 38:11 42:15,23 53:23 57:14 59:6 67:10,16 68:3 70:2 78:7,10,18,23 85:4 98:14 110:21 111:8 123:20,23 124:2,16 191:13 agreed 4:2 ahead 34:19 151:16 152:18,20 160:7 169:3 aided 215:9 aids 182:7 air 10:18 13:22 14:6,10,24 40:6 144:17 155:20 airplanes 148:9 173:22 ajax 142:5 al 1:4 4:22 216:2 alarm 53:18 55:20 alcohol 131:5,7,9 131:12,15,19,20 131:21 180:2 197:17 aldrin 25:14 aleve 179:3,5 alkaline 10:17 11:16 14:7,11 alleges 155:16 allergies 179:9 allergy 178:16,20 179:11 alley 8:25 212:19 allow 80:19	almonds 197:19 alt 111:10 alternative 3:12 67:11,23 68:1 71:7 ambiguous 48:11 92:25 139:8 157:2 160:8 161:5 169:18 amenities 90:15 91:3 amount 134:17 analyst 188:9 analyze 89:3 anderson 17:9 animals 176:17 ankle 127:11 182:5 annoyance 155:14 anode 11:20 13:1 13:2 14:1 anodes 11:5 answer 7:1,9 11:12 16:3 19:6 25:11 31:18 32:2 35:6 57:1,6 61:3 88:11 90:9 93:1 94:23 98:3 116:18 125:12 131:24 139:19 159:16 161:6 169:3 206:25 210:13 211:18 212:10 answered 152:19 answers 7:3 194:23 anti 141:7 anybody 190:21 195:4 anymore 171:20 172:6	anyway 97:11 apartment 70:10 72:23,24 73:1,2,4 100:12 apartments 73:12 73:13,15,18,24 74:4,12,21 apex 78:20 apologize 160:19 182:22 appear 149:6 appearances 156:13 appears 67:18 79:3 82:10 110:17 110:21,23 118:9 120:15,23 apple 3:20 31:3,7 31:7,10,13,15,19 31:25 32:6,11,18 32:23,25 33:6,10 33:14,19,23 34:9 34:13,22,25 37:8 37:15 38:11 40:18 40:22 41:2,6 44:17,20,24 45:16 45:20 49:11,16,21 50:1,4 52:13,19 90:17 190:4 191:13 197:21,21 198:8,12 apples 198:14 appliances 38:24 39:4,16,19,23 applied 72:22 86:22 144:24 apply 136:10 145:3 appraisal 3:10,11 35:18 36:6 66:5 68:8 69:18,24	70:4,6 71:1 86:6 86:14,15,22 87:1 appraisal's 38:5 appraisals 66:7 appraise 70:12 appraised 66:3,9 68:10,13 87:22 90:12 appraiser 54:25 70:20 87:11,15 appreciate 76:11 appropriate 18:13 18:14 approximate 15:13,19 22:2 30:3 32:15 44:16 approximately 4:15 7:17 9:16 22:9 30:15 31:24 40:5 42:22 43:1 51:6 53:1 54:10 55:13,15 62:23 63:2 64:17,23 74:8 95:3 100:5 100:14,25 101:9 101:12 106:15 112:15,20 119:18 172:20,23 186:6 188:15 196:24 209:23 210:1 213:3 apricots 198:16 april 1:18 3:20 4:14 9:18 190:24 215:17 arbitrary 190:8 area 10:23 11:1,8 12:17 27:4,5 28:21 44:3 55:10 82:11 86:7,9 87:2 87:2 92:7,9,22
---	---	--	---

93:8,16,22 94:2,6 94:12 98:10,12 99:6 105:12 110:19 114:10,25 116:11 121:16,19 149:19,22 150:10 areas 70:17 armature 19:13 19:19,21,24 armatures 19:7 20:12 arranged 189:3 arrive 89:7 arrows 58:10 arsenic 25:18 arthritis 182:3,4 article 149:5 150:15,20,22 151:1,9,13,17,24 152:2,25 153:18 articles 172:3 187:21 artist 146:20 arugula 198:18 asbestos 25:20 asheville 2:9 asked 71:10 72:10 152:19 168:20 181:19 asking 16:1 85:21 155:23,25 168:10 168:13,23 asks 193:24 asparagus 198:20 198:21 asphalt 25:22 53:19 aspirin 126:21,22 126:24 127:1 assemble 22:6	assembled 10:24 11:2,9,17 13:23 14:17 assembly 11:3 20:11,14 28:5 assess 75:10,15,23 76:5 assessed 75:6 76:16 77:9 90:5,8 assessment 57:17 77:8 assessment's 36:12 assessor 54:25 assigned 18:21 associated 93:13 137:11 138:3 158:23 160:12 161:25 162:2,3,18 association 3:20 31:11 96:10 159:6 159:10 190:4 assume 40:8 161:19 assumptions 70:19 assure 156:4 ast 111:14 asthma 179:25 astrachan 31:20 astronaut 25:16 atkins 107:6 atromid 183:12 attached 174:11 174:13 attack 139:6,22,23 attempted 61:20 62:17 87:4 90:1 attending 5:6 attention 158:11 attorney 5:21	attorneys 5:5 6:16 attractive 91:5 attributable 162:6 162:15 attributed 125:6 audibly 7:2 audio 4:11 august 10:7,7 17:11 104:4,5 215:23 aunt 138:16 aunts 138:13 139:14 author 150:19 152:7 automobile 21:24 22:6 174:8 automobiles 18:25 19:2 available 95:24 96:4 ave 2:9 avenue 2:18,22 74:25 average 150:5 161:18,21 162:22 174:2 aware 48:2 82:20 82:23 161:12	123:9 142:21 172:23 180:21,22 198:3 207:2 209:19 210:1 211:8 bacon 204:12 bad 36:25 98:25 bag 138:7 baked 167:14 185:22 bakelite 21:6,8 ball 7:21,25 bananas 198:23 bank 116:24 banker 116:24 barbecue 166:19 barn 48:25 barr 2:12 barrsternberg 1:16 4:17 5:22 barrsternberg.com 2:14 base 24:16 87:3 89:15 based 69:6 70:16 82:10,12 86:4,5,24 89:16 95:12 138:20 158:18 basement 40:16 176:3,5 basically 8:23 10:14 11:22 12:3 13:7,8 18:1 20:19 43:6 89:9 136:1 148:3 157:22 basil 198:25 basis 85:6,14 86:3 88:21 181:3 bath 120:17,19,21 120:25 122:24
		b	
		b 3:8 23:24 111:18 baby 126:24 back 46:23 53:14 53:17 54:9,12,16 55:10,11 57:9 59:23 63:2 68:7 68:18 74:24 101:18 104:2 107:6 112:20,23 113:7 114:12 115:16 122:6,7	

[bathe - bowling]

Page 5

bathe 177:25	beer 131:22,23 197:17 199:2	beyond 43:21 44:2	111:9,9,20 112:6
bathroom 53:2,4,8 53:20 55:23 58:20 119:6,7 120:16 123:6 143:24 147:14	begins 180:17	bicycles 135:6	123:25 125:19,22
bathrooms 30:1 33:20 55:25 56:12 117:21	behalf 1:4 4:23 5:9 5:19	bicycling 169:25	125:24 126:2,6,15
baths 166:8	believe 46:5 59:19 60:7 61:6 63:15 88:17 90:14 94:19 96:1 100:19 104:4 105:11 113:10 122:1,8 124:10 125:20 126:14 127:18 128:19 150:20 151:23 153:9 155:7 157:14 162:5,13 170:7 190:1	big 11:8 211:19,20 211:22	128:23 129:3
batteries 10:18,18 10:19,24 11:2,8 15:11 16:19,22 17:5	beneath 36:3 50:9 50:13	bigger 34:3	139:13 140:6,7 150:3 152:12,14 153:2,6 154:6 157:11,13,16,19 158:8,18 159:7,11 159:13,23 161:10 161:13,23 162:17 180:7,11,14 181:13
battery 2:9 9:15 9:17,20 10:1,2,11 11:2,9,17,19,20 12:4,10,22 13:4,7 13:10,18,23,25 14:6,7,11,12,17,23 14:24 15:21 16:9 16:14 166:2	bennington 1:17 2:13 4:18 8:25 9:1 9:8,14,20,25 10:3 15:6 29:5 73:7 75:10 78:20,25 79:1,12 82:17 83:9,14,17,25 84:11,19 90:16 99:24 100:6,18,18 100:19 101:17,18 103:21 156:23 159:2 166:3 167:22 168:1 169:6,9,12,16,19 170:3 187:1,4,9 191:18,23	bill 3:21 95:1,3 96:19 99:4,15,15 193:25 194:3,8,14 195:8	159:13,23 161:10 161:13,23 162:17 180:7,11,14 181:13
battery's 15:25	benzyl 25:24	bills 116:23	blue 108:10,11
beans 202:22	benzene 26:1	billy 1:13 3:2 5:4 5:25 6:9 110:4 112:16,22 213:4 214:10 216:25	boards 53:16
beautiful 86:13 91:9	beryllium 26:3	biological 104:24	body 21:14 146:4 180:7
bed 117:25 119:12 119:22	beth 1:14 215:2,21	birth 103:4,24 104:7,12,18,19 136:15,19	bok 199:7
bedroom 29:24 33:16 56:2,13 73:13,14,15 118:1 118:3,22,24 119:13,15,23 120:1,12 121:7,12	better 96:12,12,14 176:22	birthday 104:4	bolded 191:15
bedrooms 73:17 119:1 120:5,9,11		bishop 187:25	booth 28:7,9 174:19
beds 52:9,21		bit 8:4 10:10,12 29:2 36:24 42:25 50:20 55:3 76:14 79:15 99:19 102:5 111:16 112:2 113:5 123:15 132:12 136:13 146:23 148:25 160:16 162:21 174:24 177:7,21 182:4 186:5	born 105:2 136:18
beef 166:21 201:10 202:11 206:5,15		black 3:16 26:7 39:12 199:4	borrower 67:13 72:2
		bleach 141:22 142:1	bottle 164:11
		block 130:8	bottled 80:21 92:19 150:3,6 153:1 164:23 165:25 177:22
		blood 94:6 108:19 108:22 109:1,4,9 109:13 110:22,24	bottles 164:19
			bottom 12:3 68:23 69:2 70:14 78:10 78:19,21 111:21 172:13
			bought 101:2
			boundaries 31:13 37:5,8
			bourbon 199:9
			bowel 137:6
			bowling 8:25 135:10 212:19

box 69:3 boy 114:17 branch 73:5,6,9 74:5,9,13,21 brand 129:12 173:18 brandell 103:25 brazil 199:11 bread 206:9,11 208:19 break 7:7,10 62:21 112:13 133:7 172:17 209:16 breath 144:13 brian 3:21 189:4 190:19,20 193:7 193:13 brick 29:12 33:1,1 33:8 brief 62:25 172:21 195:5 209:24 broccoli 199:13 broke 137:16 broken 127:11 brother 137:23 138:1,23 brown 199:15 brussel 199:17 building 72:23 73:2,4,19,20,21 74:8 buildings 41:4 built 30:6 34:9,12 34:13,20,25 36:7 95:23 121:25 123:2 bullets 148:5 bun 111:5 bunch 110:19 111:4	buried 40:15 burning 147:18 business 8:5 79:24 butadiene 25:1 butter 199:19 204:20 buy 85:10 95:18 98:11 108:12 115:4 buyer 94:9 97:25 byproducts 84:10 c c 2:1 23:24 29:5 193:8 cabbage 199:21 cadmium 26:5 caffeinated 199:23 cake 134:23 calculation 99:13 call 21:3 35:7,9 53:16 150:23 called 10:15 11:21 13:5 20:1 21:12 24:9 38:9 111:10 111:14,17 124:3 124:22 126:5 184:5 192:1 calls 34:4 84:20 125:10 calories 107:12 campion 3:21 189:5 190:20 193:8,13,17,24 194:13 cancer 138:4,5,6,8 138:10,13,17,20 138:22 candles 21:3 145:23 candy 134:23	cap 21:6 caption 4:21 car 146:4,6 174:10 carbide 212:15 carbohydrates 107:6 carbon 26:7,9 150:6 care 107:16 carpet 117:22 118:19 119:15 144:4 carpeted 117:15 117:18,20 118:14 carpeting 117:25 118:1,2,3,4,16 carpets 173:5 carried 67:20 70:7 carrots 199:25 carry 69:6 case 4:21 5:1 71:12 72:12 97:7 105:20 106:2,8 cash 41:12 51:11 210:9 211:15 212:4 casing 21:3 cat 122:19 174:23 175:2,3,4,5,9,19 175:20 catchall 121:13 cathode 11:18 12:2,3,9 14:21 cathodes 11:5 cats 174:25 cauliflower 200:2 cause 137:2,10 138:3 157:24 215:6,15 cautious 85:9	cave 121:3,4,9 celery 200:4 cell 4:9 10:18 13:22 14:6,10,24 cellar 50:14,16 center 110:12 ceramics 145:19 cereal 200:6,7 certain 18:12 24:1 54:3 55:16 60:22 63:15 68:15 84:14 84:17,23 85:9 98:11 108:18 162:16 certificate 215:1 certification 70:20 154:2 certify 215:3,7,13 change 29:1 79:15 99:18 112:13 148:25 162:21 164:1,13 175:7 177:6,19 changed 68:11 88:2 114:15 changes 156:15 163:8,25 214:5 charbroiled 166:21 167:2,4,6 charcoal 166:19 166:20 charge 18:15 charges 74:20 check 69:3 109:13 188:18 190:7 checked 23:12 checking 188:7 cheese 200:12 chemfab 82:16 83:10 84:9 155:10 155:16 185:12
---	---	---	--

[chemfab - components]

Page 7

186:17 187:5,8 188:4,25 192:11 195:1 chemicals 19:20 24:10,15,19,21 140:15 145:4 chemistry 110:18 cherries 200:10 chicken 132:11 177:1,3 200:14 children 98:7 104:13 chili 200:17 chili's 133:5 chilies 200:16 chlordane 26:11 chloride 28:19 chloroform 26:13 chloroquine 26:15 chocolate 68:21 200:20 choices 114:15 cholesterol 109:5 111:20 123:21 124:9,13,18,20,24 125:3,5 128:15,18 132:10,17 140:4 162:18 choose 195:19 choy 199:7 chromium 26:17 chronic 107:25 churches 41:1 cider 197:21,22 cigarettes 131:1,3 cinderblock 29:14 cinnamon 200:22 circumstances 62:10 88:2 citrus 200:24	city 75:9,15,20,23 76:16,19,23 77:4,9 78:14 91:7 civil 1:5 5:2 clarify 6:22 16:5 class 1:4 4:23 92:22 93:7,16,22 94:2,5 106:3 154:2,22,25 155:23 156:8 clean 99:2 146:6 147:15,25 178:6 cleaned 147:13 172:2,4 173:6 177:16 cleaner 143:12,18 144:5,7,11 cleaners 142:5 143:24 cleaning 177:15 clear 6:20 15:24 39:9 56:20 58:1 71:16 76:4,9,14 85:13,21 103:5 193:6 195:7 climb 62:15 clinical 110:12 clogged 147:16 close 51:5 54:5 91:15 103:8 104:5 190:8 191:20 closed 70:21 closely 195:4 closest 119:24 120:3,4 closet 120:1,6,13 closets 120:9,12 clot 126:15 180:14 180:20 clothes 172:2	clothing 171:8,10 clots 180:11 clotting 181:13 club 9:23 10:6,8 165:12,19 coal 26:19 coated 185:18 coating 185:19,21 cocaine 132:2 cocoa 201:2 coconuts 201:4 coffee 133:9,11,13 133:16 134:7,15 134:19 199:24 cognizant 132:13 coil 21:4,4,15,16 coke 134:1,2 cold 109:14 collard 201:6 collection 113:16 college 159:2 colloquy 116:7 119:25 195:16 colon 36:2 138:6 138:16,22 colonial 35:3,7 36:7,13 37:10,16 colonoscopy 138:24 color 39:13 colostomy 138:6 column 111:3 combination 8:4,7 come 13:17 20:13 46:23 75:20 76:5 89:12 93:14 142:20 145:2 157:8 187:12,13 189:13 209:19 comes 11:18 20:10 178:3,6	comet 142:5 coming 64:13 65:15 98:5,15,21 114:10 156:22 192:10,11,14 commencing 1:18 comment 195:24 206:22 commercial 40:21 79:23 80:7,11,13 173:22 commission 214:20 215:23 common 55:10 communicated 188:2,9 189:9 194:25 communications 188:6,23 community 86:7 91:16 commutator 19:18 company 60:8,24 145:2 195:1 compensation 136:11 complain 151:12 152:8 complete 19:19 completely 98:17 completes 112:15 213:4 complying 35:24 57:13,24 58:14 59:5,16 69:17 70:15 113:21 component 23:18 components 18:25 19:2 21:24 22:6 22:12
---	---	--	--

[compounds - current]

Page 8

compounds 12:14 computer 215:9 concentrate 165:17 concern 190:3 concerned 97:8 152:4 condition 124:3 125:14 160:25 161:4,15,25 162:6 162:14 conditioned 40:6 conditions 70:20 108:1 123:12 127:3 139:2 157:24 178:10 181:20 182:10 confined 147:23 connect 47:19 connected 47:23 94:24 155:25 connection 71:11 72:11 98:23 150:22 181:12 188:20 connectors 21:6 conservation 188:11 190:17 consider 47:18 88:1,5 considered 37:11 constipation 181:1 constructed 30:11 41:14 74:10 96:5 construction 41:22 consultation 89:8 consume 107:13 131:5,9 176:19,23 197:17,21	consumed 131:7 131:19,21 consuming 131:12 131:15 contact 93:14 152:7 193:18 contacted 193:22 contain 134:22 contained 14:22 16:14,18,22 17:4 113:23 contains 191:16 contaminated 48:1 84:9 85:5,8,8 88:22 92:15 93:10 93:25 94:3,12,13 97:9,23 98:10,12 99:6,6 149:24 155:21 contamination 85:11 92:6,10,13 99:4 155:9,10 160:9,13 162:10 165:3 contemporary 37:10,17 continue 4:11 63:4 112:24 173:2 control 145:2,7 conversation 158:6 187:18 195:5 conversations 4:8 cook 166:11 172:15 178:3 cooked 166:17,17 167:19,20 cookies 134:23 cooking 143:6 177:14	cookware 171:19 172:6,9,11 copper 21:4 corn 201:8 corned 201:10 corner 42:14 67:4 78:8,11 110:9 corporation 1:9 4:25 correct 13:9,18 16:15 20:6 21:13 30:10,16,20 31:4 45:8,25 56:18 69:20,25 70:4 71:8 72:3 73:22 74:6 76:17 78:12 78:15 79:1 82:15 86:1,16 87:23 99:25 100:1 102:7 102:23 116:1 128:22 145:9,12 149:7 154:7,15 157:11 160:1,22 161:2 170:6 188:21 193:11,25 correction 216:4 corrections 214:4 correctly 37:13 69:12 150:12 cortland 3:11 29:5 31:1,3,20 35:19 61:21 67:14,17 69:19 74:24 75:1 75:2 95:25 101:25 170:4 cosmetics 144:22 cost 51:6 56:3 97:13 150:9 costs 3:14 couch 122:3	cough 183:25,25 coumadin 180:15 counsel 4:19 156:12 195:18 counsel's 195:11 counter 9:2 129:22 counting 117:21 163:5 176:14 couple 6:18 170:3 180:16 course 38:4 39:3 75:19 91:7 174:6 177:5 188:8 193:2 212:17 courses 8:5,11,14 court 1:1 5:2 7:5 155:23 cover 60:10,16 61:17 covered 14:1 45:4 45:7,18,21 crafts 148:21 cranberry 201:12 cream 201:14 creatinine 111:5 credit 42:3 70:11 210:11 211:16,25 creosote 26:21 crop 26:23 crops 80:4 cross 108:10,11 cucumber 201:16 209:11 cucumbers 201:18 cup 134:15 cups 133:11,15 cured 201:20 curious 186:3,5 current 104:6 106:12,14 127:2
---	--	---	--

[currently - dietary]

Page 9

currently 8:22 61:18 127:20 128:7,12 131:10 cut 107:6 207:2 cv 1:6 5:3 cvs 127:24 128:2	126:10,21 129:10 129:16,24 130:11 133:11,16 134:21 135:11 144:20 164:9,20 165:23 166:5,9,10 174:7 175:8 180:19 214:13 215:17 dayquil 183:24 days 8:24 163:20 166:18 169:5 179:8 deal 99:1 decide 54:11 declaration 3:19 153:25 154:8 decor 114:15 decreasing 14:3 deductible 108:17 deemed 92:14 deep 46:6,8 defendant 1:10 2:16 4:25 5:10,14 defendants 5:11 define 43:18 70:18 defined 69:9 70:22 definitely 76:10 degreasing 26:25 27:2,6 degree 7:18,20 8:3 8:9,16 92:1 93:18 93:23 delco 17:8,10,14 17:23 18:11,19 21:23 22:21,24 23:4 24:22 deli 203:14 delivered 164:24 deodorant 140:24 department 188:10 190:17	depend 169:23 211:21 depends 174:6 211:19 depict 59:7 depiction 57:15 deponent 214:1 215:4,12 deposed 6:14 deposition 1:13 4:11,16 5:12 6:13 6:18 35:12 60:1 63:5 66:16,22 78:2 109:19 112:16,21 113:1 113:13 149:1 153:14 189:20 192:22 195:20 196:3 214:4 215:7 describe 11:1 18:9 21:9 23:3 39:5,7 39:10 52:7 57:23 73:12 132:7 description 3:9 36:12 37:24 38:5 151:1 designated 92:8 desirable 37:11 86:10,11 87:2,3 destroyed 60:16 detect 98:19 detected 65:9,14 75:16,20,24 77:6 81:14 85:1,15 87:12 88:18 94:6 98:16,20 177:8 detection 85:24 87:25 177:20 deteriorated 62:4 137:7	deteriorating 54:13 determine 86:22 detract 91:18 devalued 93:15 develop 89:4 124:8 125:18 186:2 developed 126:15 developing 161:14 development 31:8 37:8,16 44:6 85:19 146:12 149:14 devices 130:21 dhea 184:23 diabetes 180:23 diagnosed 123:21 123:23 124:2,9,12 125:18 126:12,16 162:14 diagram 57:21 diameter 13:9,19 diaphragm 23:22 23:23 diarrhea 180:25 181:2 dibenzyl 184:14 dick 189:4 190:21 191:9 died 138:16,23 dieldrin 27:8 dies 13:8,11,14 diesel 27:10 diet 106:22,24 107:1,3,10 132:7 133:23,25 134:1,2 134:4 dietary 129:5
--	--	--	---

diethylstilbestrol 183:16 differ 38:17,22 39:18 difference 13:25 38:18 different 18:20,20 18:21 23:14,18,25 24:2,19 31:15 36:14 37:20 38:12 39:1 57:21 70:2 76:6 105:14,16 119:22 133:7 139:2 145:14 159:3 160:16 163:14 176:14 177:9,15 178:10 178:10 192:2 210:19 212:7,13 differently 39:5 42:25 difficult 89:20 dig 50:10 digger 3:17 149:5 149:8 151:10,22 dinner 164:12 dioxide 12:13,24 dioxin 27:12 dipped 185:19 direct 3:3 6:3 directed 161:9 direction 44:8,10 directly 43:15 162:3 dirt 43:4 disagree 36:12 37:23 38:5 124:14 disc 112:15,21 disclosure 94:8 discovery 196:6	discuss 112:8 187:8 discussed 6:17 23:19 54:19 56:16 56:22 106:6,7 119:16 127:3,6,17 127:19 148:22 161:1 167:21 174:23 182:12 186:23,24 191:19 discussions 187:1 187:4,10 194:14 diseases 93:13 158:23,24 160:12 162:4 dishwasher 39:24 40:1 dishwashing 142:8 disinterested 215:14 dispenser 164:25 177:23 distance 174:2 district 1:1,1 5:2,2 disulfiram 183:18 division 17:8 doctor 107:9,25 109:14 112:5 124:17 125:21 126:17 128:8,11 130:1,5 135:19 157:18,21 158:5 158:12 159:4,8,9 159:19,22 doctor's 128:9 document 35:16 67:2,8 68:17 78:5 78:23 79:9 109:24 124:12 154:4,11 154:15 192:19	document's 37:24 documents 71:11 71:13 72:11,16 159:1 doing 116:25 123:18 135:6 163:14 164:4 186:4 door 39:12 53:24 55:9 116:8 121:16 132:22 doors 122:3,15 doorway 121:18 doris 136:20 dose 128:20 129:2 doubt 178:10 doubts 92:16,16 downstairs 53:18 56:2 58:20 118:11 122:24 downturn 88:7 dozen 171:16 176:10 dr 128:11 130:7,8 135:21 158:2,4,6,7 159:20 drain 144:7 drains 155:20 185:24 drank 150:2 153:1 165:6,13,20 166:4 drapes 173:5 draw 58:9 210:11 drawing 58:17 91:10 drawn 211:16,24 dried 201:22 drink 81:3 92:20 131:22 133:9,11 133:18,23 134:2,4 134:6,12 164:8,11	164:14,16,19,22 164:23 165:2,8,18 166:5 170:13,19 177:21,24 201:3 drinking 65:14 131:20 133:13,15 134:18 165:17 drinks 199:23 drive 9:9 31:19,20 83:11 91:24 101:17,21,24 102:2 170:7,10,12 170:16 driveway 54:2,7 54:23 59:17 drop 107:8 drug 180:2 drugs 132:1 dry 172:2,4 200:7 dryer 39:24 40:4 dsilver 2:14 due 94:16,20 95:8 duly 5:25 dump 192:2 dumped 191:17 dumping 84:9 dust 26:23 28:24 duties 156:6 duty 156:7 dwelling 73:16 95:6 dye 142:18 143:2 dyes 27:14
e			
e 2:1,1,6,10,14,19 2:23 3:8,21 124:4 124:4 150:21,21 181:9 191:10 193:7,11,23,23 216:1,1,1			

earlier 102:5 104:21 119:10 145:10 157:10 167:21 170:2 174:24 early 133:14 156:23 157:14 192:7,13 easier 62:13 east 100:11,12,14 100:17,20,23 101:1 170:11,18 170:21 eat 132:8,9,11,12 132:18,20,24 133:1,3 134:21 166:21 167:2,8,12 167:18 176:21 196:23 197:5,7 207:8 208:9 209:5 eaten 167:15 197:2,20 economics 8:12 editor 151:12 education 7:16 86:18 edward 4:13 effective 71:1 effectively 82:7 effects 150:2 151:5 152:4 eggplant 202:1 eggs 201:24 eight 147:9 158:24 either 12:12 17:25 22:11 23:5 44:4,4 90:16 95:17 107:15 127:11 136:21 192:10 ejoselson 2:6	elbow 147:14 electric 39:21 electrical 18:25 19:2 47:7 50:19 emanuel 2:17,21 5:9 emily 2:4 5:17 employed 24:22 employee 195:1 employees 23:6 enclosed 28:7,9 encompass 40:22 41:1,6 encompasses 31:16 endive 202:3 endure 95:12 energizer 9:15,17 9:19 10:1,2,3,11 11:2,9 12:15,22 15:5,9 17:7,15 24:22 166:2 212:14,15 engage 135:9 145:15 169:16 engine 27:10 146:6 engineer 17:21 18:5 22:25 23:4 23:16 engineering 8:5 engineers 23:6 enhance 90:17 91:4 enjoy 212:20 enjoying 155:13 entail 107:2 entails 8:3,9 entertain 79:19 80:16	entertained 80:18 entire 17:13 30:19 194:22 entry 64:5 entryway 53:21 55:9 115:1 enviroattorney.c... 2:10 environmental 188:10 190:17 equal 24:2 equity 42:2 68:12 210:11 211:16,25 errata 214:5 eryzole 184:21 especially 98:7 esq 2:4,8,12,17,21 estate 86:19 149:15 estimate 16:17 44:12 48:22 69:8 163:2 173:8 174:7 estimated 68:4 estimation 96:25 97:6,16 98:24 et 1:3 4:22 216:2 evaluated 75:3 evaluation 67:22 event 60:25 210:8 215:14 evidence 196:7 exactly 9:8,10 18:18 21:10 35:8 42:9 46:2 47:1 60:13,18 64:9 65:7 73:16 77:18 83:21 84:3 93:2 103:12 109:3 119:20 172:13 188:17 196:12	exam 135:19 examination 3:3 6:3 examined 6:1 example 23:20 39:3 50:10 58:9 60:15 88:5 156:14 212:3 excuse 89:24 190:19 executive 8:1,8 exercise 134:25 135:2,8 exercises 123:18 exhaust 27:10 exhibit 3:9,9,10,11 3:12,14,15,16,17 3:19,20,21 35:11 35:12,15 57:9 59:25 66:6,16,22 67:1,5 68:7 69:14 71:6,18 72:2 78:1 78:2,24 79:10 86:16 109:19,21 109:22 113:7,10 113:13,16,23 123:7 148:24 149:1 153:12,14 153:22 189:18,20 189:23 192:17,22 192:25 193:7 194:22 195:7 exhibits 66:14 exist 162:19 existed 59:8 82:25 83:1 exists 162:12 expansive 139:18 expedition 195:12 196:3
---	--	--	--

expense 89:1 99:16 expenses 94:16,20 95:7,11 156:3 expensive 23:7 experience 86:19 experimenting 131:16 expert 84:21 125:11 158:9 expires 214:20 215:23 explain 11:16 13:22 168:9,24 exposed 27:10 exposure 154:22 162:7 extend 95:25 extended 139:9 extent 15:23 68:1 211:19 exterior 53:10 59:7,13 69:7,23 70:4,17 extra 24:14 115:4 extract 184:25 185:2,4,6,8,9 eye 38:15 eyes 16:25 eyewear 22:18	fact 24:8 93:19 factor 124:3,5,7 126:12,17 factors 91:16 fair 25:5 36:18 48:23 49:8 65:23 67:23 79:14 80:7 80:10 83:23 fall 147:23,24 148:4 169:24 171:15 falls 156:20 familiar 157:23 158:12 family 29:7 55:11 56:13 114:12,14 116:2 122:5 136:13 138:11,14 138:19,20 139:3,5 139:8 140:2,4,12 167:22 168:1 185:8 fannie 68:20 fantastic 90:21 far 9:11 15:7 34:10 73:9 74:17 91:7,8 97:8 101:3 farm 60:9 fast 132:18,20,24 father 136:24 137:1 138:12 139:24 father's 136:17 faucet 80:21 178:4 178:7 faults 51:23 faulty 51:20 fear 84:8,11 feature 114:14 features 48:8	february 35:20 59:8 66:5 68:8,10 68:14 69:11 feel 91:18,21,25 feelings 62:5 feet 11:15,15 30:5 46:9 felt 190:7,9 fence 49:5 fences 49:17 52:10 fertilizers 141:20 fiberglass 27:17 185:18 field 20:12 21:13 21:14,19 fields 19:8 fifth 37:3 figs 202:5,6 figure 89:12 filed 5:1 files 71:13 72:13 film 146:11 filtering 150:6 final 16:8 20:11 28:5 122:22 finale 209:2 finally 14:16 28:24 finance 41:11,17 41:22 51:10 financed 211:14 find 82:7 89:19 136:2,3 fine 7:3,8 183:8 finish 116:15 185:8 finished 22:11 fireman 147:25 fireplace 115:13 115:24 116:3 fireworks 148:7	first 6:20 17:11 35:11 64:19 69:16 69:22 75:19 81:14 95:23 100:9,14 102:9,15,17,20,25 114:4,6 119:2 124:9,12 125:17 125:18,18 126:12 128:22 146:23 150:14,21 151:9 156:17,19,23,24 157:7 175:2,4 186:1,1 188:7 fish 132:12 202:9 205:7,24 207:12 fishing 135:14 195:12 196:3 five 47:10 53:3 54:10 90:22 101:11 116:8 117:19 119:20 130:17 138:25 147:24 148:3 166:18 174:22 186:9 198:13 199:20 200:5,19 201:5 203:12 fixed 156:5 flat 44:7 flea 175:17 flights 174:2 flip 113:18 floor 114:6,6 119:3,4 142:11 flooring 122:11 floors 53:18 114:12 flower 52:9,21 flowers 52:10 flu 181:2
f			
f 2:12 5:15 23:25 fabric 143:4 fabrics 185:18 facade 29:20 facilities 18:24 27:14 91:14 facility 12:23 15:5 27:3 82:16,20 83:5,10 185:12 186:12,13,17			

fluid 181:16 185:21 fly 173:22,25 folks 209:15 follow 71:5 210:4 following 157:4 177:19 follows 6:2 food 132:18,20,24 134:8 176:17 202:13,14 foods 132:15 134:21 196:17,23 foot 150:9 footage 30:3 33:24 forced 92:19 foregoing 214:3 215:10 forgive 101:4 form 10:21 11:10 12:16 14:13 15:23 15:24 19:5 31:17 32:1 34:4 35:5 37:18 38:1 41:20 45:9 48:4,10 51:25 52:15 56:8 56:25 57:6 60:21 61:2 65:10 79:2 82:9 84:1,20 88:10 92:2 97:1 98:2 105:21 106:9 127:23 135:25 138:15 151:15 152:1 154:19 157:1 159:12 160:6 161:3 187:11 195:16 former 82:16 83:9 forms 13:9 forth 185:25 189:13	found 14:11,23 149:16 186:3 foundation 29:11 four 55:15 101:11 104:25 133:12,15 134:24 149:13 163:21 166:5,18 176:14 178:19 198:13,22 199:22 200:5,19,23 201:5 203:12,20 207:19 208:14 212:11 fourth 114:23 115:11 framing 19:8 20:12 21:14,19 free 165:16 197:17 freeman 21:12 fresh 205:10 fresheners 144:17 fried 132:15 202:11,13,13,13 202:13 friends 163:23 front 29:21 35:20 36:22 42:15,18 43:15,18,19,21,22 43:23 53:14,19 54:9,11,13,16 55:9 57:10 61:17 114:10 116:8 121:16 fronts 33:2,8,12 fruits 132:15 200:24 fuel 40:11,12,13 40:18 full 6:7 126:25 127:1 215:10 fumes 28:4,22	fun 212:24 functional 116:3 funga 180:5 fungicides 144:25 furniture 142:14 146:2 173:6 furosemide 183:20 further 81:22 213:1 215:7,13 fused 185:22 future 94:20 95:8 150:1 151:5 g gage 15:6 gaige 1:14 215:2 215:21 gallons 176:10,11 176:14 game 176:19,22,23 garage 53:21 121:7 174:10,14 175:25 176:1,3,13 garden 49:3,22 145:10 garlic 185:6 202:16 gas 148:17 166:19 181:24 gasoline 27:19 171:21 175:24 176:2,3,12 gears 29:1 79:15 99:18 148:25 162:21 177:6 general 17:8 27:4 88:6 187:18 202:14 generally 132:7 161:1 187:8 geography 101:5	getting 70:11 135:4 137:17 182:23 ginger 184:25 ginkgo 185:2 ginseng 185:4 give 72:13 180:19 187:17 given 176:24,25 215:11 glass 145:25 glasses 17:1 22:19 gloves 16:23 22:13 22:16 glucosamine 129:17,18,24 130:2,9,11 glucose 111:5 glue 148:10 go 4:12 6:18 7:19 8:20 12:8,10 21:1 21:18 24:4 34:19 35:11 46:8 57:11 101:24 106:25 107:5,16 109:14 112:6 114:1 132:21,23 133:3,5 135:13,13 139:1 140:17 145:13 147:20 151:16 152:17,20 160:7 163:16 167:25 168:2,4,4 169:3,9 169:13,23 172:17 175:21 178:9 182:23 196:17,22 197:10 198:3 209:14 gobain 1:8 4:24 6:12 150:7 155:16 187:5 188:4,25
--	--	---	---

194:25 196:10 216:2 goes 19:15,18 21:7 46:6 55:10 goggles 16:25 22:17 going 6:20 7:5 11:25 15:22 47:13 59:10 62:23 63:2 66:13 76:3 77:25 80:8 88:25 89:1 92:23 93:11 94:25 99:3,18 109:6,16 112:17,20 114:12 135:6 139:1,7,17 140:11,14 145:13 148:24 154:18 156:10,12,15 157:8 159:25 172:20,23 174:6 189:17 190:7 191:12 192:18 194:5,21 196:15 196:22 209:23 210:1 213:6 golf 9:3 good 5:8 6:5,6 62:14,21 97:21 112:12 136:2 137:3,15 165:18 172:11 177:24 gore 171:8,10,11 171:12,13 gosh 73:5 gotcha 13:20 62:17 80:14 gout 179:23 government 41:4 188:3,24 189:8 governor 190:16	gradual 44:14,15 grains 208:23 grand 209:2 grandchildren 80:19,22 granddaughters 104:25 grandkids 104:21 grandparents 139:14 grandson 105:10 grandsons 104:24 105:2,16 granola 202:20 grapes 202:18 grass 43:4,7,9,13 45:4,22 52:11 grassy 45:13 gravel 45:18 53:20 grease 185:24 great 7:13 59:2 86:8 113:2 123:7 green 187:25 202:22 greens 201:6 203:25 grill 166:19,20,22 ground 6:19 202:11 groundwater 94:17,21 95:9 grow 62:12 80:4 100:2 growing 43:10 guess 18:3 19:10 29:21 68:16 69:22 84:22 101:8 102:13 139:12 149:11 173:17,17 174:5,5 186:11	guessing 25:11 171:18 h h 3:8 150:21 216:1 habit 132:25 hair 140:22 142:18,23 143:1 147:15 175:22 half 12:3 15:8 30:2 73:11 101:11 122:24 171:16 174:9 176:10 190:6,9 212:16 hall 121:6 hallway 118:9,14 hamburgers 167:8 hand 111:3 215:16 handed 35:14 149:4 handle 15:10,17 15:21 16:7 21:24 22:4 handled 16:1,11 16:13,17,21 22:11 24:21 handling 17:3 hands 16:23 22:13 hang 210:25 happen 179:6 happens 108:23 hard 7:5 36:24 68:24 131:22,23 142:8,9 hardwood 53:18 55:5,8,13,18 58:11 114:12 hat 171:12 hdl 111:25 head 7:4 health 62:14 81:6 88:23 92:16 93:12	94:14 97:23 108:3 108:5 136:2,14 137:3,15 150:1 151:5 152:4 155:12 158:18 177:24 181:20 healthy 132:14 hear 13:11 23:1 172:7 heard 156:24 157:3,7 heart 139:6,22,23 heat 40:12,19 heated 40:8 heater 148:19 heating 40:10 height 106:12 held 4:16 help 11:25 190:22 193:22 helpful 139:4 145:16 herbal 182:17,19 hereditary 138:22 hernia 123:16 high 8:20,21 23:25 109:9 123:21,25 124:8,13,18,20,23 125:3,5,19,21,24 126:2,6 128:15,18 128:23 129:3 140:4,6,7 161:10 162:17,17 higher 8:10 161:20,20 highest 7:15 hill 3:20 31:4,7,7 31:11,13,15,19,25 32:6,11,19,23,25 33:7,10,15,19,23 34:9,13,22,25 37:8
--	--	---	--

[hill - improvements]

Page 15

37:15 38:11 40:18 40:22 41:2,6 44:17,21,25 45:16 45:20 49:11,16,21 50:1,4 52:13,19 90:17 190:4 191:13 hip 137:16 138:7 hired 46:20,22 history 113:6 123:11 138:10,21 139:3 140:1,4,12 hmm 19:16 97:19 111:24 123:5 191:11 hmms 7:4 hobbies 145:14 148:21 hobby 169:16 hogan 71:20 72:5 72:7 hole 14:1 holiday 107:8 home 3:16 29:2,4 29:7,9,11,20,24 30:4,6,8,11,14,23 31:1,6 33:24 34:10,12 35:2,19 36:7,13 39:17,23 40:6,8,14 41:9,13 41:15,22 42:2,3,7 43:20 46:3,15 48:7 50:9,18,21,22 52:24 53:11,24 54:20 55:1 56:1,6 56:18,24 57:16,22 59:7 60:15,25 61:18,21,24 62:2,3 62:3,5,6,6,11,12 62:16,18 64:6 66:3,7,9 67:17	68:5,9,11,13 69:18 74:24 75:4,7,10,15 75:21,23 76:16,19 76:24 77:4,10,11 77:14 78:15 79:11 79:16,17,23,25 80:2,8,17,20,24 81:8,11 82:16 84:19 85:2,10,15 85:16,25 86:4,6,6 86:9,23 87:3,5,12 87:17,21,22 88:3,8 89:20 90:2,5,12,18 90:20 91:2,3,13,19 91:22,25 92:1 94:9,11 95:6,14,16 95:18,19,23 96:5,6 97:5,25 98:6,11 99:18 100:17,20 100:23 101:2,8,21 101:25 113:7,20 113:24 114:15,15 117:23 118:4,12 120:5,11,21 144:25 145:3,10 147:8 162:23 163:8,9,12,15 165:6 166:12,17 171:25 174:11 175:5,25 178:1,4,7 210:9,10,11 211:14,16,25 212:1,4 home's 99:6 homeowner's 3:20 homeowners 31:11 60:3,11 190:4 homes 31:24 32:6 32:11,18,22,25 33:6,10,14,18,22	34:2,8,12 37:10,17 37:20 38:6,8,13,21 40:17 44:6,20,24 45:16,20 49:11,16 49:21 50:1,4 52:12,19 85:18 89:10,14,19,23 91:21 92:9,17 93:14 155:13 homestead 78:12 honestly 193:3 honey 202:24 hoosick 156:20 hormonal 182:9 horn 24:12 horns 19:7 23:21 23:24 horseradish 203:1 hotdogs 167:6,7 203:3 houghton 191:18 191:24 hour 174:9 hourly 162:24 hours 47:17 163:1 163:21 174:7 house 34:21,24 38:25 39:19 42:10 42:16,19,24 43:2 43:22 45:8 51:14 51:19 53:19 55:4 70:10,12 79:19 114:6 117:6,10,17 118:17 119:3,8 121:4,25 122:8,17 123:2 133:5 140:15,18 145:6 147:2,7 164:24 173:17 176:6 177:2,3 212:24	houses 61:15 housing 88:6,15 huhs 7:5 humans 97:12,13 humidifier 148:12 hundred 48:18 hunt 176:19 hunting 135:13 169:23 171:11,13 hurd 190:18 husky 175:15 hydrated 164:18 hymera 8:21 hypertension 123:24
i			
ibuprofen 179:3,4 ice 133:19 idea 67:25 identification 35:13 66:17,23 78:3 109:20 113:14 149:2 153:15 189:21 192:23 identify 5:6 illegal 132:1 impact 92:12,22 92:24 93:6 97:16 98:23 99:12 impacted 93:17,19 93:22 96:24 97:6 implanted 130:22 impotence 182:1 impressions 83:5 83:13,15 improvements 36:2 50:21 54:19 55:4 56:15,17,21 56:23 57:22 58:2 58:8 59:12 72:25			

86:5,25 inaccurately 151:24 incline 44:13 included 190:10 income 210:19 212:7,22 incoming 18:14 incorrect 152:24 increase 132:10 increased 126:24 161:14 incur 94:19 95:8 incurred 94:16 index 3:1 indiana 7:21,23 8:17,21 17:9 100:3,4 individually 1:4 4:22 105:22 indoor 147:2,7 indoors 163:10 industrial 7:24 8:2 8:19 infection 137:20 180:5,7,8 infections 137:18 137:19 information 154:5 154:6,8 193:18 informed 158:17 ingested 177:13 initial 158:5 injuries 136:6,8 inoperable 47:15 insect 141:1 insecticides 144:24 inside 16:14,18,22 17:4 21:17 38:24 40:14 55:4 80:8	175:20 177:1 inspect 76:5,20,24 77:5,11,14 inspected 75:10,15 79:6,11 inspection 69:8,24 70:16,25 install 54:9,11,16 148:14 installation 81:24 96:24 97:5,15 147:12,13 installed 46:4 47:2 51:24 53:23 54:23 55:20 64:5,8,12 65:13 81:19 96:6 96:18 97:12 148:14 instance 35:3 institutions 40:25 insulation 147:11 148:15 insurance 60:4,8 60:10,11,20,24 108:3,5,10,12 109:1 interfere 4:10 interior 3:12,16 21:4 56:23 57:15 58:1,8,15 67:11 69:7 70:4 interruption 48:13 intestinal 181:24 investigated 186:5 investigation 3:17 issue 62:8 88:23 92:17 193:22 issues 94:14 97:24 97:24 140:9 itemized 3:14	items 134:8 j j 1:13 2:4 3:2 5:4 5:25 110:4 112:16 112:22 213:4 214:10 216:25 jacket 171:11,14 jacuzzi 49:9 173:15,17 james 1:3 2:8 5:19 137:25 jamie 66:15,20 71:24 211:3 january 9:18 42:6 63:8 65:17 66:8 69:19 70:7,24 72:22 107:7 136:18 137:9 193:9 jasmine 203:5 jennings 101:17 101:21,24 102:2 170:7,10,12,16 jets 173:16,19 jim 3:17 150:20 job 8:24 10:11 17:12,25 18:1,4 23:3 143:17 163:20 165:14 212:24 jobs 17:25 18:8,20 18:21 23:15 joe 6:9 john 4:21 188:8 joint 130:23 joints 129:20,20 129:21 jones 187:23 joselson 2:4 5:17 5:17 109:21 115:9 115:15 118:7	153:16,20 195:24 196:2 197:3 206:20,22 209:17 judith 67:13 71:7 71:22 72:2 104:11 juice 198:8 204:10 july 64:25 65:5 138:2 jwhitlock 2:10 k k 212:17 kale 203:7 keep 132:16 209:17 kept 91:22 kerosine 148:19 kid 131:16 146:8 177:3 kid's 121:13 killed 137:20 138:9 killer 141:11 kind 20:2 21:10 22:14,17 24:10,12 24:18 35:25 37:2 38:24 62:4 67:4 69:3 83:2 87:10 91:2 107:5 110:18 111:10 114:2 123:14,16 129:8 129:20 135:2 138:5 144:21 146:11,17 148:15 150:17 169:22 171:10 176:4 185:15 kinds 133:25 134:4 135:8 145:3 king 103:3 128:10 128:11 130:7 135:21 158:2,4,6,7
--	---	---	--

159:20 king's 103:4 kitchen 114:21 121:20,22 knee 127:14,15 130:6,10,23 knew 83:1 177:18 195:4 kni 35:23 36:21 59:4 68:18 69:16 69:23 70:13 78:11 78:18 79:5 knight 1:13 3:2,22 5:4,25 6:9,10 8:22 35:14 67:1,13 71:8,22 72:3 104:19 106:12 109:24 110:4 112:16,22 113:16 136:17,20 137:25 149:4,25 150:8,15 153:22 155:3 169:2 170:23 173:2 189:23 192:25 196:16 207:1 210:3,25 211:10,14 212:25 213:5 214:10 216:25 knight's 152:2 know 7:3 11:24 12:6 20:2 21:10 21:18 24:20 25:4 25:6,10,15,25 26:8 26:12,16 27:9,24 28:16 32:2,5,17 33:5,14,17,18,21 33:22,25 34:6,10 34:17,21,24 35:8 37:3 38:8 40:17 40:20 44:16 45:10	46:6,12 47:1,2 48:17,21 49:24,25 50:17 51:18,23 52:1,16,17 58:10 60:18,24 62:5 63:17,21 64:8 65:7 68:13 70:6 72:7 73:16 74:8 74:12,18,19,20 75:6,9,14 76:20 77:3,4,12,13,18 82:4,12,24 83:2,16 83:19,20,21,22 84:4 85:18 86:7,7 87:8,20 88:12,15 88:24 89:19 90:1 90:4 91:23 93:16 93:21 94:2,5,7 95:3 97:2,11,20,25 98:10,18 103:11 104:9,10,10 105:25 107:12,15 109:4,9,25 110:15 112:4 113:4,19 115:6 126:22 129:8,12 130:16 130:16,23 131:24 137:17 138:5 139:19,20,24 140:16 141:5 142:9 145:15 147:1 153:6,11 155:11 157:7 161:16 162:16 164:6 172:10,11 173:8 174:5,23 176:15 177:15,23 179:11 180:16 181:4 182:12 183:5,6,7,9,11,13 183:15,17,19,21	184:6,15,18 185:15 186:13,20 186:22 187:13,18 187:23,25 189:14 191:9 192:12 193:15,17 194:8 194:11 196:18 197:12,12,13,14 198:1 199:6 202:4 210:17 knowing 84:6 87:1 knowledge 32:24 33:9 45:23 63:10 67:19 90:10 140:10 158:1 192:8 212:2 I I 20:24 29:5 111:18 124:4,23 126:6 136:20 180:17 181:9 I.l.p. 2:4 labor 8:13 17:19 18:16 laboratory 3:15 110:12 lack 101:7 ladder 115:4 lamina 19:25 lamine 23:8 lamination 19:14 19:15,18,25 lamp 148:19 land 30:11,22 32:7 32:12,19 41:8,15 42:10,18,25 43:3 43:21,22,23,25 44:5,7,10,12,17,22 44:25 50:14 52:4 80:4 85:7,7 155:14 192:3	land's 85:8 landfill 83:14,17 83:25 84:10,11,19 192:1,3,15 lands 45:6 landscaping 52:4 52:7,13 lane 3:11 29:5 31:1,3,20,21 35:19 61:21 67:14,17 69:19 75:1,2 102:1 170:4 191:18,24 lanes 8:25 9:1,8,14 9:20,25 10:4 langrock 2:4 langrock.com 2:6 language 150:24 large 115:4 larger 32:7,12 44:25 173:16,18 late 122:9 140:8 lately 142:13 148:8 latest 61:6 75:8 77:7 laundry 141:22,24 141:25 143:5 177:14 law 5:22 lawn 164:4,18 177:4 lawnmower 174:13 lawsuit 155:2,5,5 155:8,16 156:11 156:13,16 186:21 lazy 114:17 ldl 111:25 lead 27:21 62:10 122:15 196:6
---	---	---	---

leading 114:5	linda 103:1,3,4	148:25 160:16	77:25 78:4 79:4
league 135:11	line 11:3,4,18	162:21 163:24	82:14 84:5,24
learn 156:17	12:20 20:14 23:11	164:10 165:13	88:13 90:11 92:4
lease 62:17	24:7,15 42:3	174:24 177:6,7,21	93:4 95:2 97:3
leather 146:17	50:19 70:11	182:4,23 186:5	98:13 105:23
leave 169:9,12,15	194:22 210:11	196:18	106:11 108:8
leery 81:7	211:25 216:4	live 83:9 86:11	109:22,23 112:12
left 59:14 78:7	lines 18:13 23:10	95:16 100:4,9,23	112:23 113:1,3,9
110:9 111:3	50:17,18 95:25	101:10 102:20,21	113:12,15 115:10
122:13 173:4	96:1 211:16	103:20 105:12,16	115:19,22 116:19
176:11 182:5	linked 150:10	lived 82:15 100:11	117:1 118:8
legal 156:11	linoleum 121:23	170:2,10,11,12,18	125:16 128:1
leiden 124:3	121:24,24	171:25	136:5 137:21
126:13,18	liquid 131:22,23	liver 138:8,8	138:18 139:11,21
lemons 200:24	185:20,21	lives 105:14	142:24 149:3
lesser 95:19	list 24:18 111:11	167:22	151:19 152:6,22
letter 3:20 151:11	139:1 140:17	living 53:11 56:6	153:12,17,21
190:2,12,14,24	178:9 182:21,25	92:7 114:24 116:1	154:20 157:9
191:4,7,14	196:16,22	117:10,23 118:17	159:15 160:14
lettuce 203:9	listed 111:4	119:8 120:21	161:11 168:8,12
leukeran 183:10	lists 78:11	136:22 137:15,23	168:16,22 169:1
level 7:15 8:10	liter 150:5 152:12	llp 2:17,21	169:20 172:16
150:4 152:14	161:24	loan 42:2,7 51:9	173:1 181:22,23
153:2,6 158:19	literature 159:25	68:12 72:22	187:22 189:17,22
159:7,11,13,23	160:3,20 161:12	211:20	192:20,24 194:24
161:13,17,23	161:22	lobster 203:11	195:10,14,21
levels 154:6 158:8	lithium 10:18	locastro 2:21 3:3	196:8,14 197:4
161:10	14:16,19,20,23	5:8,9 6:4,11 10:22	206:21,24 209:14
libraries 41:5	15:2,3	11:11 12:21 14:15	209:19 210:3,7,18
life 137:4 140:8	litigation 113:18	16:2 19:9 25:17	211:2,5,9,13,23
lifetime 174:17	186:23	31:22 32:4 34:7	212:12,25
175:12	litter 175:5,7,9	35:10 37:22 38:3	located 4:18 9:8
liked 115:3	little 8:4,10 10:10	38:10 41:21 45:11	15:5 31:1,3,6,24
likes 116:25	10:12 29:1 36:24	48:6,14 52:2,18	32:6,11 33:22
limit 132:15	50:20 55:3 68:24	56:10 57:2,8 58:3	34:8,22,24 35:19
139:12 198:2	69:3 76:14 79:15	58:5,7 59:1 60:2	40:14,17,21 46:2
limited 195:16	99:19 102:5	60:14,23 61:8	61:21 67:17 69:19
limiting 70:19	111:16 112:2	62:20 63:4,7	73:4 74:5,9,15
lincoln 2:17 5:13	113:5 116:10	65:12 66:13,18,24	82:21 83:6,10
lincolnwilson 2:19	123:15 132:12	68:22 71:17,21,23	90:16 91:2,3,13
	136:13 146:23	72:1 76:7,10,13,15	100:18 113:22

119:2 120:25 121:5 128:2 location 90:19 long 9:5 47:15 73:24 100:4,23 101:10 102:17 103:17,17 107:7 128:14 130:9 133:13 142:12 168:4 174:25 182:23 183:2 196:18 209:21 look 15:17 35:25 36:20 37:2 38:14 52:9 68:23 69:14 70:13 72:12 77:19 98:4 99:5 111:3 111:16 112:2 149:17 191:14 looking 43:24 110:7 114:3,9 116:12,20 119:24 121:17 122:2,5,19 122:23 149:20 189:25 191:15 looks 52:14 57:18 68:19 114:18 115:12 117:2 118:21 119:11 122:3 losartan 126:5 losing 89:17 loss 95:15 179:16 lot 30:10,13,16,19 62:3,7,16 72:24 97:24 99:17 132:24 164:14,17 165:8,8 166:6 194:15,17 209:5 lots 90:20	lovastatin 124:22 125:2 180:17 love 62:2,5 132:16 lovenox 181:8 low 150:3 153:2 lower 153:11,11 lubricants 22:15 lubricate 129:20 129:21 ludeman 104:3,3 lunch 112:18 113:4 203:13 lysol 144:2	management 7:24 8:1,3,8,12,19 manager 10:9,14 10:15 165:16 190:18 manganese 12:12 12:24 14:9 mangos 203:17 manufacture 10:17 18:18 19:3 19:13,21 20:18 21:1,19 22:5 manufactured 12:18 14:2 20:9 20:15 21:25 22:7 manufacturing 15:18,25 17:21 18:4,10,24 21:22 22:24 23:4,16,17 83:2 155:18 map 92:9 march 104:20 105:3,4,7,8 136:25 margarine 203:19 margin 59:14 marijuana 132:2 mark 57:21 66:13 77:25 109:16 113:6 148:24 153:12 189:17 192:18 marked 35:12,15 66:6,16,22 67:1 78:2,24 86:15 109:19 113:13 149:1 153:14 189:20 192:22 market 68:4 69:8 70:22 88:6,16 89:3 133:6	marking 57:23 marriage 102:15 102:20 103:15,18 104:15,16 married 74:1,2 102:6,11,17 103:18 mary 189:5 190:20 mask 22:20 masks 17:2 master 117:25 118:2,24 119:13 119:15,22,23 120:1,12,17,19,20 120:25 121:7 master's 7:17,20 material 21:10 172:12 materials 11:4 14:7,10,22 16:14 16:18,21 17:4 18:14 19:12 20:17 21:1,18 22:5,12 24:11 mcdonald's 132:23,24 meal 166:17 169:13 meals 166:12 mean 11:13 39:2 60:13 82:23 83:15 84:3 87:8 93:2 105:22 106:3 107:3 139:9 146:20 155:4 159:18 162:24 163:5,9 192:5 194:17 211:20 meant 194:8
	m		
	m 193:8 macintosh 31:20 madison 2:18,22 madison's 133:8 mae 68:20 mahogany 54:14 maiden 104:1 mail 2:6,10,14,19 2:23 3:21 193:7 193:11,23,23 mailed 191:10 main 1:17 2:13 4:18 23:15 90:23 90:23 maintained 92:1 97:12 maintenance 46:18,19,21 47:3 47:12 major 210:8,14 making 59:25 156:13 malathion 27:23 malt 199:2 man 121:3,4,9 manage 124:17 125:21 126:17		

193:8 nail 144:21 naked 38:15 name 4:13 5:3 6:7 6:11 102:24 103:2 103:23,25 104:1,7 104:11,17 128:9 136:17,19 137:24 173:18 180:18 181:6,7 187:24 named 106:1,8 186:20 215:4,15 names 136:15 189:15 192:2 national 150:5 161:18,21 natural 143:1 nature 15:16 17:3 23:9 38:20 54:24 58:12 130:24 132:3,11 147:9 187:10 212:20 nc 2:9 near 91:2,3,6,13 nearest 21:9 nectarines 204:2 need 7:7 196:17 212:21 needed 9:4 19:13 19:20 20:17 22:5 47:3 51:21 53:5 70:12 71:14 needs 15:23 60:25 negative 98:9 neighborhood 31:7,14,16,25 32:7 32:12,19,23 33:1,7 33:11,15,19,23 34:9,13,22,25 37:4 37:7,12,25 38:6,12 38:22 40:18,23	41:2,6 44:17,21,25 45:17,21 49:12,17 49:22 50:2,5 52:13,20 89:18 90:17 91:22,24,25 187:16 191:19 neighborhoods 45:6 neighbors 43:24 45:3,12 87:19 never 16:11,13,16 46:22 89:2 95:1 99:15 151:11 195:3 201:7 new 2:18,22 53:17 53:17,24 54:11,23 54:23 55:8 114:17 122:10,13 157:3 newer 39:23 newest 34:24 news 187:19 newspaper 187:20 newspapers 156:19 187:20 nice 62:3 nicholas 2:21 5:8 6:11 nicholaslocastr 2:23 nickel 28:2 night 191:9 nominal 149:15 non 98:19 143:6 165:22 171:19 172:5,9 normal 110:25 177:17 normally 109:7 134:16 151:10 north 9:9 42:11,13 42:13,14 83:10	100:18 156:23 northeast 46:3 notary 6:1 214:17 215:22 notation 78:19 note 4:6 23:25 59:11 noted 181:22 214:5 notes 24:9 notice 1:14 november 105:10 number 33:15,20 86:3 88:21 145:13 numbered 115:11 149:12 numeral 124:7 nutmeg 204:4 nuts 199:11 206:7 ny 2:18,22 nyquil 183:24	138:15 139:7,17 151:15 152:1,17 154:18 157:1 159:12 160:6 161:3 187:11 194:21 objected 57:5 objection 38:7 60:12 94:22 125:10 168:6 169:17 181:19 195:7 196:11 206:21,23 210:12 210:23 211:3,17 212:9 objections 195:15 obtain 54:18,24 obtained 7:16 42:2 obviously 93:9 109:13 occasion 132:23 occasionally 15:12 15:13 22:1 106:23 132:19,25 184:3 occasions 174:22 occurred 51:23 october 66:10 67:5 68:5 78:8 110:6 110:25 111:8 112:9 offered 96:3 office 80:2 offices 1:16 41:5 oh 11:15 71:21 73:5 77:22 99:11 107:18 110:8,10 111:12 112:3 115:14,19 132:22 142:21 143:3 144:3 198:21
		o o 20:24,24,24 29:5 124:23 126:6 136:17 181:9,9 193:8 oath 5:24 obama 108:6 object 10:21 11:10 12:16 14:13 15:22 19:5 31:17 32:1 34:4 35:5 37:18 38:1 41:19,19 45:9 48:4,10 51:25 52:15 56:8 56:25 60:21 61:2 65:10 79:2 82:9 84:1,20 88:10 90:7 92:2,23 97:1 98:2 105:21 106:9 127:23 135:25	

[oil - p.m.]

Page 22

oil 19:23 20:2 40:11,12,13,14,15 40:19 185:25 207:6 oils 28:13 okay 6:16 7:1,13 8:2,6 9:11 10:5,10 10:16 11:24 13:22 14:22 16:10 17:22 18:3,8,18,23 19:10 20:5,17,21 23:16 24:4,17 27:8 29:1 29:3,24 31:3 32:5 33:6 34:8,21 35:11,22,25 36:16 37:23 38:11 43:25 46:6 47:18 48:7 50:20 51:3 52:3 53:23 54:18 57:9 58:6 59:2,20,21,24 60:20 61:11,13,18 62:20 66:12 67:3 67:23 68:3,7,13,16 69:1,14,17 70:6,13 70:15 71:4,24 72:5,9,19 73:20 74:23,23 76:7 77:13,19,21 78:7 79:14 80:10,23 81:14 82:15 83:13 83:23 84:6,25 85:21 86:3,12,18 87:4,16,22 88:14 88:17 89:13 90:15 92:5 94:8 96:9 98:20 99:17 100:9 100:20 103:7 105:6,9,19 106:12 106:22 107:25 108:19 109:4,9,12 110:3 111:3 112:3	112:8 113:12,22 114:1,14,20 115:2 115:19 116:3,6,16 117:22 118:21 119:2,11,14,21 120:4,11,15,23 121:8,15,20 122:12,22,25 123:7,20 124:6,11 124:17 125:17 130:21 131:17,21 131:24 133:1,9,23 135:12 137:10 139:1,16,20,22 140:11,14 141:9 142:25 143:4 144:24 145:13 146:9,25 147:7,17 149:9,17,22 151:8 151:11,20 152:23 153:10 154:17 157:10 160:15,18 160:24 162:5,21 163:15,19 172:16 173:4 174:23 178:9,21 180:23 181:8,12,15 182:21 183:10 184:5,14 185:11 188:23 189:16 192:17 193:6,17 194:20 195:10,14 196:15 197:9,10 197:16,17,21,25 198:5,7,23 209:4 210:6 211:1 212:6 old 34:21 39:14,17 39:20 40:1,3,5 99:22 137:13 175:1	older 62:12 137:17 oldest 34:21 olives 204:6 once 14:2 16:20 22:3,3,10 46:24 64:12 96:18 106:25 107:18 125:2 126:10 129:10,24 130:11 133:2,2,21,22,22 141:5 142:4,8 143:11,21 144:3,6 144:10 158:8 166:9 167:11,17 169:7,14 170:1 171:24 173:10 175:20 177:3 178:17 198:17,21 198:24 199:12,16 200:9,21 201:1,15 202:8,15,17,19,23 203:2,4,22 204:19 204:23,25 205:6 205:13,15,23 206:4,6,8,16 207:2 207:5,13,15 208:2 208:8,12 209:1 ones 34:20 onions 204:8 open 70:21 186:14 186:18 operable 47:13 operating 185:13 operation 21:21 operations 195:2 opining 85:14 opinion 54:18,24 70:22 83:24 84:2 84:15,21,25 85:6 85:23 86:8 87:1,5 89:7,15 99:8	125:8,11 158:12 185:15 187:16,17 opinions 83:21 opposed 43:13 orange 25:12 204:10 oranges 200:25 order 89:4 original 117:12 121:24 122:1,16 158:24 ounce 164:11 ounces 164:12 165:22,23 166:5 outcome 215:14 outdoor 91:14 outrageous 196:4 196:7 outside 34:1 149:23 164:15 167:22 168:1,5 169:6 181:20 190:5 oven 144:11 185:22 overly 150:1 151:4 oversee 19:3 owned 72:25 73:24 74:4 173:11 175:2 owns 70:10 73:2 73:13,18,19 oxide 12:12,24 14:9,9
p			
p 2:1,1 193:8 p.c. 1:17 2:8,12 p.m. 112:20 172:20,23 209:23 210:1 213:3			

packets 134:16 page 3:9 35:20,22 36:1,21,24 37:3 57:12 68:17,23 69:16,22 70:13 78:11,17,18,19 79:5 115:9 149:13 149:17 150:21 216:4 pages 59:3 149:11 paid 41:12,25 51:11 53:7 54:6 54:16 55:17 63:16 63:18 82:3 86:4 86:25 150:6 211:15 212:4 pain 179:7 pains 178:25 179:5 paint 28:4,4,5,7,9 56:9,11 176:1,2,4 176:6,8 painted 119:17,19 123:1,6 painting 28:6 58:22 146:19,20 paints 147:1 175:24 pam 143:6 panfried 167:8,12 204:12,13 paper 152:7 paragraph 114:5 149:18 paragraphs 150:12 parasites 178:22 parcel 42:10 pardon 57:4 206:10 208:10	parentheses 70:21 70:21 parents 136:15,21 139:13 park 2:9 174:10 parsley 204:14 parsnips 204:16 part 8:24 12:4 17:25 21:20 23:7 90:23 91:10 110:25 137:4 143:17 149:9 163:20 partial 176:10,11 particular 23:11 23:23 24:9 125:14 134:13 162:2 parties 4:3,12 5:7 parts 18:14 20:12 22:15 23:11,14,18 63:25 196:19 pass 136:24 137:1 137:8 138:1 patience 196:20 patient 110:3 patio 53:17 54:23 122:13 paula 103:25 104:1,1,2,3 pause 58:17 pay 41:8,13 60:20 60:25 62:15 82:5 109:1 150:10 210:9 pays 116:23 pc 4:17 peaches 204:18 peanut 204:20 peanuts 204:22 pears 205:1	peas 204:24 pecans 205:3 pellet 11:19 12:10 12:11,19 pellets 11:6 12:18 16:11 pen 57:20 59:11 59:23 pending 7:9 211:3 pension 108:14,15 212:14 people 18:13 85:9 87:19,20 89:16,18 89:22 95:16 99:5 137:17 159:3 161:13 187:14,20 189:6,12 190:15 190:21 193:21 pepper 199:4 208:21 pepperoni 205:5 peppers 200:17 percent 7:17 43:12 43:14 89:18,24 90:2,4 percentage 89:10 89:13 perfect 59:15 perfectly 7:3 perform 46:18,21 47:3 performance 1:9 4:25 performed 157:16 performs 112:5 period 17:13 47:16 131:19 178:17 180:19 periodic 179:6 permanents 175:22	person 46:22 47:2 215:14 personal 156:1 160:25 161:4 personally 125:8 142:2 143:9 147:5 158:14 159:8,18 159:19,22 166:13 210:21 personnel 8:12 persons 1:5 4:23 pertain 160:4 pest 145:2 peter 189:10 pets 175:12,18 pfoa 48:1 62:4 63:12,21 64:2,14 64:20 65:9,14,21 66:1 75:16,19,24 76:2 77:5 80:15 80:23 81:10,14,18 82:1,8 84:12,18,25 85:5,15,20,24 86:10 87:12,25 88:17 89:11,21 90:3 91:17 92:10 92:12,22 93:7,12 93:17,20 94:1,6,10 94:15,16,20 95:8 95:12,20 98:15,20 125:6,13 150:3 152:14 153:2,6 155:10,19 156:17 156:25 157:11,13 157:19,23 158:5 158:10,13,18,22 159:6,10,23 160:11,12 161:2 161:10,13,23 162:6,15,19 165:3 165:4 177:8,11,13
---	--	--	--

[pfoa - present]

Page 24

<p>177:18,20 187:2,6 187:8,12 188:3,21 188:24 191:1,15 191:16 192:9,14 195:1 pfoas 191:17 pharmacy 127:21 127:22 phenacetin 184:9 phenobarbital 184:11 phone 2:6,10,14 2:19,23 150:23 193:4 phones 4:9 photo 114:8,16 118:6,21 119:5,11 119:21 120:15,23 121:2,8,11,15,20 122:2,4,19,22 photograph 114:20,23 115:12 115:23 116:8,10 116:20 photographs 3:16 113:17,20,22,23 photography 146:11 photos 59:6 phrase 92:24 139:8 physical 48:8 92:11,21,24 107:19,20 109:11 111:1 112:6 135:19,24 physically 15:10 15:20 21:23 22:4 physician 107:9 107:17 112:10 138:19</p>	<p>pick 4:7 7:6 173:4 pickled 205:7,8 pickles 201:18 picture 116:12 pie 198:12 205:18 pieces 13:16 19:24 pill 125:2 pineapple 205:10 pineapples 205:9 pistachios 205:12 pistol 147:20 pizza 132:22 place 4:9 62:21 86:8 placed 14:21 21:16,16 78:14 155:19 places 51:21 59:12 86:10,11 133:7 plaintiff 4:20 105:19 106:1,8 154:1 plaintiffs 1:6 2:3 4:24 5:16,18,20 186:20 plans 61:23 plant 20:10 planted 52:11,11 52:21 plants 52:10 147:2 147:7 plastic 21:11 plastics 1:9 4:25 play 135:3 163:21 164:16 played 165:15 playing 123:15 165:23 playroom 121:13 pleasant 2:5</p>	<p>please 4:6,8 5:22 6:7 7:1 34:19 38:2 57:9 66:19 78:1 189:19 192:21 193:2 plot 32:7,12 44:17 44:25 plots 32:19 plumbing 147:11 plums 205:14 plus 164:15 165:14 pocket 156:3 poet 64:4,8,12,20 64:21 65:8,11,13 65:25 81:19,21,24 82:3,5,7 96:24 97:5,10,14,15,15 98:1,15,21 99:7 189:14 point 53:24 64:5 153:8 poison 98:5 141:16,18 poisoned 155:11 poisoning 180:8 poisonous 155:19 policies 60:6 policy 60:16,18 61:6 polish 142:14 143:18 144:22 pool 49:8 173:9,11 pools 49:12,14 porch 53:14,14 54:9,12,13,16 122:6,7,10,16 pork 167:4 portion 59:25 position 189:15</p>	<p>positive 73:25 90:18 95:6 98:8 98:19 99:2,8 157:14 162:20 192:16 194:7 possibility 84:18 84:22 162:8,11 possibly 125:13 post 41:4 potassium 126:6 potato 208:1 potatoes 197:13 205:16 potential 84:12 pottery 145:19 poultry 167:2 pounds 176:25 power 50:17 pownal 101:2,3,10 predominantly 45:14 predominately 45:4,7,13 prefer 96:21 preferred 96:7,8 prepare 154:10 prepared 154:9 preparing 154:3 prescribes 128:6 128:12 presence 63:12 64:2,14,20 65:21 66:1 80:15,23 81:10 85:19 90:3 91:17 165:4 190:25 present 5:5 61:23 81:13 91:1,12 95:22 96:23 101:25 102:6 103:12 104:11</p>
--	--	--	---

<p>123:14 145:17,18 presently 123:12 162:13 president 31:10 press 24:12 pressed 19:17 presses 11:22 19:23 24:3 pressure 81:4 92:18 109:10,14 123:25 125:19,22 125:24 126:3,7 128:23 129:3 140:6,7 162:17 pretty 44:13,14 106:20 190:16 prevent 180:11 previously 102:11 price 95:19 155:12 primarily 167:18 170:13,19 primary 107:16 print 215:9 prior 46:20 47:18 63:8 65:17 165:1 165:3,4 private 4:8 privately 108:16 probably 9:13 11:15 55:21 56:20 73:11 104:8 106:18,18 131:16 133:14,17 148:4 156:18 163:5 164:12,19 177:21 181:2 186:11 194:10,17 problem's 156:4 procedure 155:19 proceed 5:23 195:19</p>	<p>process 15:18,25 produce 71:11 72:11 produced 71:14 113:17 product 171:17 production 10:14 17:18 professional 1:15 82:11 87:10 159:5 161:19 185:14 215:3 professionally 173:6 proffer 168:17,18 168:20 progressions 156:15 promise 59:25 pronounce 137:20 properties 40:21 property 3:10,14 30:25 43:7,10,12 43:15 45:25 47:19 47:22 48:9,16 49:1,3,6 69:9 70:17,23 88:18 154:25 156:1,1 163:11 prospective 94:9 97:25 protect 16:23,25 22:13 protective 22:17 proved 149:25 proven 158:22 provide 155:23 193:24 194:2 provided 17:2 22:13,16,20 154:5 154:7</p>	<p>providing 154:5 public 6:1 8:12 96:3,4,6 98:23 99:10 214:17 215:22 publyk 133:5 pull 109:17 pulled 47:8,9 pump 171:21 pumpkin 205:18 205:20 purchase 30:8,13 41:11,17,23 51:10 72:22,24 purchased 30:10 135:5 purpose 115:1 purposes 75:4,7 75:11,21,24 76:17 76:20,24 77:5,10 77:15 78:15 79:12 pursuant 1:14 pushed 13:21 pushes 13:7 put 11:5,6,19,20 11:21 20:15 46:23 52:8,8 53:15,17 55:6,8,14,18 58:9 58:11,11 62:2 86:6 107:10 122:11 123:7 134:15 138:6 162:10 192:17,17 putative 156:7 puts 11:22</p>	<p>81:23 85:13 110:16 116:17 142:22 154:19 159:16 160:15 161:7 168:15,20 168:23 169:2 206:25 211:7 212:6 questioning 194:22 questions 6:21 7:2 140:13 194:23 196:5 210:4 213:1 quick 172:17 209:16 quickly 197:11 quinn 2:17,21 5:9 quinnemanuel.c... 2:19,23 quit 131:20 quite 32:3 135:7 quoted 151:12,24 152:2 quotes 150:25</p>
r			
<p>r 2:1 29:5 126:6 150:21,21 216:1,1 racquet 10:5,8 racquetball 9:22 123:15 135:3 163:22 164:16 165:12,15,19,22 165:24 radius 149:23 190:6 raised 176:16,17 raisins 205:22 ramunto's 132:22 ran 47:6 ranch 35:3,8 37:9 37:16</p>			

range 39:21,21	195:3,3,3 210:16	recommended	registered 1:15
rat 141:16	realtor 54:25	48:3	150:4 215:2
raw 14:7,10,22	87:10	record 4:6,12 5:11	regular 48:2 181:3
16:13,18,21 17:4	reason 36:11	6:8 57:23 62:24	regularly 124:17
18:14 19:12 20:17	37:23 38:4 63:9	63:3 76:14 79:1	125:21 134:25
21:1,18 22:4,12	65:18 96:13,15,20	103:5 112:17,21	135:9
24:10 167:18	111:1 153:19	116:7 119:25	reimbursed 94:17
201:16 205:24	194:5 216:4	124:11 154:19	reject 15:16
209:10	reasons 187:14	168:11,14,25	related 125:14
reach 188:12	reassess 75:21	172:18,20,24	161:1 196:9
reached 188:13,14	76:5	181:18 195:15,19	relation 187:6
188:19	recall 51:9,12 53:7	195:23 209:15,23	195:25
reaching 193:20	53:22 54:1,3,6,15	210:2 213:6 214:6	relations 8:13,13
read 36:24 37:13	54:15 55:17 56:3	215:11	17:20 18:16
68:25 69:12 71:2	57:7 58:24 63:18	record's 71:16	relatives 139:13
150:12 151:10,21	64:19 66:9,11	76:4 193:6 195:6	released 14:4
153:25 159:1	68:9 81:13 89:25	recording 4:11	relevance 168:7
160:4 162:1,3	94:18 96:23	records 109:17	168:11,14,18,21
191:21 193:1	100:13,21 106:16	110:1 113:5	168:24 195:8
214:3	109:3 110:24	123:11 160:22	relevant 72:14
readily 177:22	111:2 118:19	recoup 150:8	196:1,6
reading 151:8,17	119:18 150:19	recruiting 17:20	reliable 97:11
159:24	151:8 157:16	red 206:1	relief 155:22
ready 63:4 112:24	167:13 179:12	redo 54:2	religious 40:25
173:2	181:8 186:6	redone 54:7	remain 132:13
real 3:10 30:25	188:15 189:11	reduced 215:9	remember 51:6
69:9 70:23 86:19	190:14	reduction 90:3	67:21 72:18,20
149:15 174:18	receive 8:15 46:15	refer 187:20	79:13 103:10
really 17:24 19:22	46:17	referred 119:10	135:18 150:18
21:20 22:14 34:6	received 74:13	123:4 150:15	151:17 171:5
36:14 37:19,19	recess 62:25	referring 150:16	172:13,14 191:8
38:23 45:10 48:12	112:18 172:21	158:2 191:25	193:3,3 194:4,10
48:21 52:1,16,16	209:24	refinanced 42:7	194:15,16,19
72:18 75:14 78:6	reclarify 16:4	refined 134:22	196:12
79:13 83:20 88:4	recognize 35:16	refinish 146:2	remind 170:8
88:12 97:16,22	67:8 78:5 109:24	refresh 79:10	remodeled 56:5,17
99:7,14 108:2	153:22 189:23	refrigerator 39:10	remodeling
110:2 111:2,2	192:25	39:12,21	119:14 120:20
130:16 136:3	recollect 140:3	regard 195:23,25	123:1
182:5 186:24	recommend 130:1	regarding 188:24	remodelling 119:7
189:14 192:7	130:5	195:1	

remotely 5:6 remove 81:20 removed 81:16,17 81:18 82:1 removes 82:8 remy 17:8,10,14 17:23 18:11,19 21:23 22:21,24 23:4 24:23 rent 62:18 74:20 rep 106:3 repainted 58:13 repair 146:4 210:9 211:22 212:1 repaired 51:21 54:22 212:3 repairing 164:4 repairs 147:10 211:14,20 repeat 56:19 81:23 93:2 97:2 159:18 repellant 141:1 rephrase 75:18 rephrase 71:25 72:9 155:4 replace 51:1,7 53:4,7 replaced 50:24 51:3,13,18 52:23 53:14 61:1 117:9 117:22,24 118:3 118:16,19 119:9 121:25 122:25 123:3 replacement 53:5 replacing 119:15 report 3:11,13,15 67:5,11 68:4 69:10,24 70:3,24 151:1	reported 215:8 reporter 1:15 7:6 48:13 215:3 reports 82:12 represent 5:7 6:12 representative 156:7 190:20 191:10 193:14 representatives 189:4 representing 4:13 5:22 154:21,24 requested 67:13 71:7,19 72:5 require 148:10 168:17 required 24:11 research 89:3 130:4 resemble 52:9 reserpine 184:16 residences 170:3,6 residential 37:9,11 69:24 residents 187:2,5 187:9 resolve 144:6 respect 89:6 94:10 resperine 184:16 respirator 22:21 respirators 17:2 respond 191:4 responded 191:7 responsibilities 10:13 17:13 18:10 23:3 responsible 23:17 restate 38:2 restaurants 133:1 133:4	results 63:21,24 112:8 135:23 157:19 retaining 49:5 50:2 retention 181:16 retile 55:25 retiled 55:23 retired 8:23 146:23 return 211:8 212:6 revenue 95:15 review 154:11 reviewed 160:21 161:23 revisit 51:16 179:9 rheumatism 182:3 rice 206:3 richard 189:10 rifampin 184:19 rifle 147:20 right 13:12 20:22 21:20 23:1 24:7 24:15 29:1 51:3 51:24 54:4,5,17 55:5 56:16,22 58:15 59:23 62:8 64:25 65:2,5 67:4 71:2 75:13 76:7 76:23 78:10 86:1 99:20 102:3 103:14 114:4,4,18 114:24 115:8 118:14,17 120:2 120:13 121:16,22 123:9 124:15 125:1 126:9 132:22 135:10 145:11 153:20 160:17 163:5	164:23 165:7 167:23 168:25 170:4 172:7 191:15,21 193:9 193:10 194:2 198:7 209:15 righty 66:25 risk 138:20 158:18 161:14,20 162:9 162:10 river 43:16 road 31:4,19 95:10 100:11,12,15,17 100:20,24 101:1 170:11,18,21 roast 206:5,15,15 roasted 206:7 robert 130:8 robinhood 187:25 robinson 104:1 rocks 45:18 rocky 43:5 50:10 50:12 role 21:22 154:3 roll 14:19,20 rolls 206:9,11,12 roof 50:24 51:1,4 51:7,16,18,22 54:22 212:3 room 5:6 11:13 55:12 56:14 114:13,14,24 115:13 116:2,22 116:22 117:2,15 119:12,22 121:13 121:18 122:5 rooms 55:11 56:5 56:11,18 117:6,17 117:20 root 50:14,16
--	---	---	---

rotting 53:6 roughly 44:1 46:5 95:5 routine 110:18 routinely 108:22 108:25 109:10 112:5 roy 4:13 rpr 215:21 rug 144:4 rules 6:17,19 168:17 run 20:13 23:11 24:6,16,18 79:24 running 50:18 ruptured 137:6 russett 31:19	sandy 50:11 saturday 191:9 sauce 201:12 207:16,17 sauna 49:9 173:13 sausage 167:6 207:4 saw 124:11 143:2 saying 43:23 54:25 172:10,14 191:4 191:12 says 35:23 36:1,6 37:4,7 60:18 67:5 67:10,12,12,23 68:6 69:3,6 70:16 72:2 79:5 98:18 110:3,6,11,17 149:9,14,19,22 150:20 161:12 162:1 191:17 scan 36:25 scheduling 18:15 schmeltzer 188:8 188:12,13,19 school 7:19 8:20 8:21 schools 41:5 science 11:24 scope 70:18 scotchgard 171:4 scratch 172:12 screened 122:6,7 screening 145:21 screws 23:8 seafood 133:6 seal 215:17 search 71:12 sears 189:4 190:21 191:10 season 147:23,24	seasonal 133:21 135:13 141:4 164:10 169:22 171:15 197:23 207:23 seasonally 163:8 seasons 164:13 second 65:3 69:1 103:15,18,20,23 104:16 114:6,8 119:3,4 179:10 section 149:14 security 212:18 see 14:6 23:9,12 23:23 24:1,7,12 36:4,9 37:6,7 57:10 67:4,15 69:2 71:13 72:6 78:21 79:7 87:16 109:17,25 110:3,4 110:13 111:4,6 117:12 121:22 122:15,19 124:17 125:21 126:17 149:13,20 150:24 190:12 210:16 seeds 205:20 207:24 seeking 47:19,22 seen 98:18 seldom 202:25 sell 61:20,23 62:10 80:5 87:20 89:19 89:20 90:1 selling 95:14 senate 193:15,25 194:3,8,14 195:8 senator 193:16,16 193:17,23 194:13 send 24:6	senior 135:10 sense 6:24 7:11 24:24 87:13 139:15 140:20 178:14 197:1 sensitive 4:7 sent 190:14,15,16 190:24 193:8 sentence 36:3 37:4 191:16 192:6 separate 73:21 separately 108:12 sepsis 137:19 september 65:2 septic 141:7 serax 184:5 series 13:8,11 serious 92:15 136:9,9 174:16,18 seriously 136:4 servings 134:21 sesame 207:6 set 9:2 23:10,22 115:12 148:7 156:2 sewer 50:17 shaded 110:19 shaft 19:15 shakes 7:4 shampoo 144:4 shampoos 175:17 sharon 187:23 shed 48:25 sheds 49:22,22 sheet 214:5 shellfish 207:8 shift 22:3,10 163:21 shoe 143:18,18 shoot 148:3
s			
s 2:1,5 3:8 20:24 20:24 124:23 126:6 183:12 216:1 s.10 193:11 195:25 196:2,9,13 safe 144:21 172:15 safety 17:1 22:19 saint 1:8 4:24 6:12 150:7 155:16 187:5 188:4,25 194:25 196:10 216:2 salad 209:12 salami 206:17 sale 61:18 85:18 95:15 sales 149:15 salmon 167:12,14 salt 206:19 207:2 sand 45:18 sandwich 203:13			

[shooting - specific]

Page 29

shooting 147:20	54:17 57:7 58:15	147:9,24 148:3	soots 28:13
shopping 169:10	58:16,24 59:15,17	167:11 169:14	sorry 34:18 43:8,9
short 178:17	60:19 61:18,19	size 24:1 34:3	46:20 56:12,19
180:15	63:6 64:22 65:7	38:18 44:16	61:14 71:21,23
shots 180:19	67:21 68:9 69:15	126:25 127:1	73:5 75:2 76:1
shower 81:8 166:7	70:9 71:5 72:18	ski 91:14 170:23	77:22 85:3 96:17
177:14	73:7,8 74:11 77:3	170:25	99:9,11 104:2
shrimp 207:10	77:12,22 78:5	skied 171:2	105:3 110:8,15
shrubs 52:8	79:13 81:17,23	skipped 115:17	112:3 115:10,14
siberian 175:15	83:12 84:4,23,25	skis 171:2	116:16 118:7
siblings 137:22	87:6,24 88:12	sleeping 163:6	137:9 140:12
139:13	89:25 90:4 91:23	182:7	143:1 152:17
sic 20:24 124:4	92:3 93:2 99:22	slight 140:7	168:12 176:2
side 9:9 18:1,4	101:15 102:4,10	slope 44:8,10	181:6 182:18
44:4 79:24 83:10	103:15,22 105:15	slopes 44:9,12	184:17 193:16
123:8 192:18	105:18,25 108:18	small 8:23 61:16	198:21 201:17
siding 29:15,18	109:3 110:2,5,7	smoke 131:1	211:2
32:23 33:1,7,11	111:2 112:1,25	192:10	sort 146:13
38:19 51:13	113:25 114:21	smoked 131:3	sought 158:11
signature 4:3	116:5,9 117:4,5	207:12,14	sound 23:25 24:12
215:20	118:20,25 125:23	snowplows 164:5	51:3 54:4 64:25
signed 154:1,11	128:21 130:8,13	soap 177:16	65:2,5 75:13
silica 28:11	130:16,25 131:2	social 212:18	76:23 124:14
silk 145:21	135:22 136:7	socially 79:19	125:1 126:9
silver 1:16 2:12,12	138:1 150:13	80:16	sounds 51:5
4:17,22 5:15,15,22	151:18 158:3	soda 133:23,25	source 40:12
12:12,23 14:9	160:23 172:14	134:4	46:14 74:14 84:12
108:6 142:20	177:12 181:11	softeners 143:4	108:5,11 170:15
159:13 209:5,8	182:18 184:2	software 78:20	170:21 212:21
similarly 1:5 4:23	186:8 194:4,10,15	soil 50:9 65:18,20	sources 210:19
simulator 9:3,3	196:12 206:10	65:25	212:7,13
single 29:7 95:6	208:10 211:22	soldering 147:17	south 43:1 44:11
sink 147:14	sit 44:25	solenoid 20:23	110:11
sir 6:5,25 7:12	sits 30:14 41:9	21:2	soy 207:16,17
15:1 16:6 17:7	situated 1:5 4:24	solenoids 19:7	spare 118:25
20:7,25 22:9 23:2	42:10,25	20:21	speak 90:22 105:1
24:25 25:18 28:8	situation 150:8	solvents 175:24	136:3 157:18
29:2 30:12 31:10	situations 15:15	somebody 154:9	159:8,19
35:9 37:14 38:9	six 18:6,22 47:17	somewhat 14:18	speaking 150:19
40:6 42:5 46:8	106:13 116:10,20	38:18 81:7 107:5	specific 143:25
48:21 52:1,22	131:13 144:10	190:8	158:17 159:6

182:21 206:20,23 specifically 19:3 20:3 71:18 160:4 161:8 191:7,8 211:24 specifications 23:13 speculation 34:5 speed 158:10 spelled 20:24 spend 162:23 163:7,12 174:8 sperry 2:4 spiese 189:10 spinach 207:20 splenda 134:11 spoke 157:22 158:7 159:3,22 spoken 87:9,15,16 89:22 158:4 spot 144:6 spray 140:22,24 143:6,22 144:6,13 144:14,17 sprayed 146:7 sprays 26:23 141:7,9 spring 188:16 sprouts 199:17 square 30:3,5 33:23 stabilized 150:7 stack 192:10 stacks 185:24 192:11 stage 16:8 stained 145:25 stainless 39:4,6 stainmaster 171:6 stains 27:14	stairs 62:15 121:17 stairway 114:5 116:13 117:24 118:2 stairwell 122:20 stalls 149:15 stamp 19:23 23:21 stamped 14:20 stands 149:8 starch 143:22 stars 110:19 start 14:2 17:16 66:25 83:16 130:14 131:15 135:6 139:22 163:18 169:25 171:17 started 7:14 17:17 53:11 56:6 117:10 117:23 119:8 120:21 128:22 134:18 137:17 156:19,22 188:7 188:17 starting 19:7 20:5 20:8,18 21:15 28:6 115:15 164:5 state 5:10 6:7 7:21 7:21,23,25 8:17 60:9 75:3 92:8 105:14,16 168:5 189:4 193:14 195:15 statement 70:19 statements 214:7 states 1:1 5:1 71:19 station 191:18,20 191:23,24 192:12	stay 62:8 107:7 156:9 164:18 steak 166:21 steel 12:6,7,8 13:3 39:4,6 steep 44:13 stenographically 215:8 step 15:24 stepgranddaught... 105:1 steps 61:17 81:15 81:22,25 sternberg 2:12 stick 143:6 171:19 172:5,9 stipulation 4:1 stomach 179:18 179:21 184:12 stone 33:7,8 52:9 stop 131:12 137:18 172:9 store 174:13 175:24 176:1,4 stored 176:12 storm 53:24 story 62:12 stove 148:17 strawberries 207:22 stream 10:15 street 1:17 2:5,13 4:18 15:6 43:16 70:18 73:5,6,10 74:5,9,13,21 82:17 82:21 83:6 185:13 streets 31:15 40:22 41:1,5 strengthen 123:19 stressful 155:14	stretching 123:18 strictly 109:6 strike 194:23 195:13 stroke 137:5 139:25 140:1 structures 30:22 stuart 190:18 stucco 33:11,11 stuck 115:18,20 studies 82:10 study 7:23,25 8:18 stuff 116:25 style 36:7,13 38:12 styles 36:15 38:19 subassemblies 20:19 subdivided 30:20 subdivision 37:9 subject 36:6 69:10 70:17,23 193:11 subjected 93:25 160:11 subjecting 94:14 submitted 195:24 subscribe 214:6 215:16 subscribed 214:12 subsequent 65:25 substitute 134:7 134:10,14,18,23 sugar 134:7,10,14 134:18,22,22 suggestions 23:5 suing 155:6,7 suite 2:9 sullivan 1:3 2:17 2:21 4:22 216:2 summer 133:21,22 141:5,14,15 163:13 164:14
--	--	--	---

166:10,25 169:24 177:5 207:23 summertime 164:17 sunburn 174:16 sunflower 207:24 supervised 10:17 18:24 supervisor 17:18 17:23 18:2,10 21:23 supplement 129:15 supplements 129:5,6 182:15,17 182:19 support 154:1 suppose 93:21 supposed 59:17 103:11 sure 6:16 9:10 13:18 17:16 24:25 29:14 45:10 49:15 50:8 51:2 52:22 54:22 56:20 61:4 61:7 76:25 77:12 81:24 82:4 83:12 91:23 92:3 93:5 94:7 95:11 97:4 98:6,17 99:21 116:14 119:20 125:7 130:20 139:16 140:21 156:20,21 157:25 163:4 174:7 178:15 186:6 188:17 190:1,16 194:4,12,16 198:19 199:6 210:17	surface 43:3 50:13 surgery 127:8,11 127:13,14,15,17 130:6,10 suspected 149:23 sustained 162:5 swear 5:23 swedging 11:21 13:5,6,7 sweet 208:1 swim 173:9 swimming 49:8 switch 20:23 swore 154:14 sworn 5:25 214:12 215:4 synthetic 45:22 53:15,16 122:11 syrup 184:1 system 53:18 55:20 64:5 65:11 65:13 81:19,21,25 82:3,5,7 96:24 97:5,10,14,16 98:1 99:7 150:11 156:2 189:14	129:24 130:1,15 156:24 163:22 166:8 172:17 174:3 178:16,21 178:24 179:2,4,7 179:20 180:5,11 180:23,25 181:10 181:15,24 182:5 182:12,14 193:2 taken 1:14 4:19 62:25 82:11 88:6 112:18 114:16 116:13 128:17 129:1 172:21 178:12 179:15,23 181:5 183:1 184:3 184:25 209:24 talk 10:10 20:21 29:2 50:20 79:15 79:17 99:19 136:13 177:6 187:7 209:20 talked 55:3 89:16 156:11 158:8 189:12 talking 13:15 58:1 58:14 99:17 115:7 139:10 209:17 211:21 tammy 71:20 72:5 72:7 tank 40:14,15 tanning 174:19 tap 165:7 170:13 170:19 tapazole 183:22 tape 112:13 tar 25:22 tarragon 208:3 tars 28:13	tastes 96:12 tax 54:25 75:4,7 75:11,21,24 76:16 76:20,24 77:5,10 77:14 78:15 79:12 taxes 62:16 tce 28:15 tea 133:18,19 134:8 203:5 tedious 196:19 teflon 149:9 172:11 185:19 186:17 tell 7:15 8:2,8 10:12 12:2 13:6 14:16 19:12 20:8 24:19 29:15 42:9 53:13 81:2 94:11 139:3 140:18 159:5,9 168:14 177:9 178:12 183:1 196:20,23 telling 114:11 121:19 133:6 190:3 ten 43:14 47:10 90:23 106:16 130:17 169:5 171:18 tend 164:21 165:8 term 13:5 90:7 92:5 terminals 21:5 termite 145:6 terms 12:1 37:20 76:5 terrible 81:4 92:18 157:5 test 24:11,16 63:16 63:19,21 65:3,6,24 87:4,8 109:7,13
	t		
	t 3:8 25:3 29:5 124:23,23 126:6 150:21 216:1,1 tab 14:4 tablet 126:10 take 7:7,10 18:8 19:10 39:8 57:20 59:23 62:21 69:14 77:19 90:2 104:2 112:13 124:21,22 125:1 126:2,5,9,21 126:23 127:5,20 128:7 129:5,7,10 129:13,15,17,18		

[test - tiny]

Page 32

110:21 111:9 112:6,9 157:16,19 191:13 tested 24:7 63:9,11 64:2,14,20 65:18 65:20 66:1 108:19 108:22 109:4,7,10 110:24 111:9,13 111:17,20 152:15 157:11,13 188:20 190:11,22,25 191:3,5 testified 6:1 testify 193:4 215:4 testimony 193:24 194:3 195:25 213:4 215:11 testing 24:4 149:24 tests 48:2 65:8,25 109:1 112:4 tetrachloride 26:9 tex 171:8,10,11,12 171:13 thank 6:10 59:2 66:21 71:24 75:2 76:12 80:14 140:11 181:22 thanks 195:16 212:25 thereof 101:7 therrien 3:18 150:21 151:3 thickness 23:23 thing 59:11 62:4 97:21 98:8,9 99:2 146:13 157:5 171:15 196:15 things 7:4 54:23 58:12 71:4 76:6 81:5 103:11	110:22 111:4 116:23 132:2,2,9 132:10,13,15 134:23 137:6 142:9,10 143:12 145:16 163:14 164:7 177:15,17 194:18 198:4 206:19 think 15:23 19:25 20:5,25 22:23 29:14 32:16 42:6 58:22,23 59:18,22 61:6,7 62:20 64:3 64:17 65:22 66:2 80:18 84:7,17 87:11 90:19,25 91:4,10,11 94:8 95:5,7,13,17,18,21 96:20 97:20,21 98:22 99:5,18 115:15 117:8 125:5,13 127:1 135:16 141:8 145:1 149:8 150:17 151:4,7 159:22 162:8 168:8,16 171:7,20 175:19 180:10,17 180:18,18 181:6,7 181:11,25 184:3 184:13 185:20 190:15 192:14 193:5 194:5,6 196:24 209:10 210:5 211:5 212:11 thinking 77:23 211:4 thinner 67:2	third 9:6,7 65:6 68:17 114:20 191:16 thought 58:22 77:20 81:6 157:4 178:19 190:22 192:9 thousand 174:4 three 29:25 40:5 55:11 64:17 65:8 73:15,15,18,21 74:4 104:24 106:13 107:23,24 108:23 117:21 133:12,15 134:3 134:11,24 135:3 138:25 149:13 163:20,22 169:11 169:24 178:19 179:8 191:15 198:11 199:5,14 200:1,3,11,23 201:9,11,21,25 202:2,21 203:16 203:18,20,24 204:3,5 205:2,4,19 206:18 207:9,11 207:19,21 208:14 208:18,24 209:3,8 thyme 208:5 thyroid 140:9 182:9 tick 175:17 tile 53:20 58:12,18 122:25 123:3 tiled 121:22 time 4:15 5:5 7:7 8:24 12:19 17:19 18:8,22 19:11 22:16,23 39:8 53:22 57:7 58:23	59:22 60:22 62:22 63:1,12 64:1,19,22 65:21 77:13 81:5 81:13 82:16 91:1 95:22 96:5,23 102:18,22 103:21 112:12,14,19 123:14 135:18 138:23 142:12 143:17 145:17,18 148:3 157:6,22 158:1 163:3,7,12 163:17,18,19,20 163:24 164:11 169:5 172:19,22 174:22 178:17 179:14 193:2 194:11 196:5 198:3 209:22,25 213:1,3 times 15:19 64:16 102:11 134:3,24 135:3 147:24 148:4 149:13 161:18 162:22 163:22 169:11,24 171:16 173:9,24 191:15 197:14 198:11,13,22 199:5,14,20,22 200:1,3,5,11,19,23 201:5,9,11,21,25 202:2,21 203:12 203:16,18,20,24 204:3,5,7 205:2,4 205:19 206:18 207:9,11,19,21 208:14,18,24 209:3,8 tiny 61:15
---	---	--	--

[title - upset]

Page 33

title 17:12	treated 124:20	169:4,7 173:21	179:20
toast 208:9,11	125:24 126:20	174:1 175:20	u
today 6:13 196:16	145:6	198:17 199:18	uh 7:5
196:25 210:5	treatment 64:5	200:13,15 201:13	uncle 139:23
today's 4:14 5:11	trees 48:15,22	201:17,17,19	uncles 138:13
60:1 213:4	52:11	202:10,12 203:2	139:14
told 81:11 138:19	trick 142:22	203:10 204:9,19	undergraduate
151:2,2 158:21,22	tried 87:20 89:19	204:21 205:17	8:15
158:25	156:9	206:14 207:23	underground
toluene 28:17	triglycerides	208:8,16,20	50:19
tomatoes 208:7	111:23	two 8:24 12:14	underneath 50:18
tones 24:2	trillion 63:25	18:8,22 30:2	understand 6:21
tool 48:25 49:22	true 152:5 154:15	39:12 40:2 47:7	16:3,6,7 24:17
top 13:3 14:1,5	215:11	49:20 52:8 55:10	36:14,19 37:19
21:7 37:2,3 67:4	truth 215:5,5,6	56:1 59:3 62:12	77:24 85:12 93:1
67:10,24 71:19	try 6:20,22 7:1	66:13 73:14 81:5	107:9 109:16
78:7 79:5 110:6,8	16:5 132:8,8,11,13	85:18 87:20 120:9	138:23 154:14,21
110:8,18 122:20	132:14,15,16	120:11 122:3	154:24 155:22
topic 187:12	156:4,14 164:18	134:11,16 135:3	156:6,14 157:6
torn 127:16	165:17 193:20	142:8 149:12	159:17 161:6
total 141:15	trying 62:8 157:5	162:18 163:20,22	168:23 169:2
totally 7:8 164:23	193:22 207:2	164:19 169:11,24	196:9 206:25
touch 142:23	209:13	170:1,6 171:24	understanding
town 36:8 75:3,9	tub 120:24 173:16	179:8 180:19	92:5,11,21 93:6
78:19,25 79:1	173:18	186:9 197:14	155:2,15 161:2
86:11 90:16,22,24	tums 179:22	198:11 199:5	185:11,17 186:2
91:6 94:25 96:10	turkey 132:11	200:1,3,11 201:9	186:16
128:3,4 133:8	177:1 206:15	201:11,21,25	understood 89:9
149:9 150:10	turn 4:8 35:22	202:2,21 203:16	undertaken 81:15
155:25 169:19	36:20 57:9 59:3	203:18,24 204:3,5	81:21,25
187:19 190:18	68:7,16 69:22	204:7 205:2,4,19	union 212:15
tract 180:8	74:24 78:17 113:7	206:16,18 207:9	unit 20:16
training 86:18	114:8 118:6 123:9	207:11,21 208:18	united 1:1 5:1
transcript 214:3,6	149:11,13	208:24 209:3,8	units 73:21 150:6
transcription	turned 121:12	type 8:13 35:2	university 7:21,22
215:10	tv 156:18	38:8 40:10 90:19	8:17
transfer 191:18,20	twice 79:22 102:12	107:3 164:7 184:1	upgrades 52:3,7
191:23,24 192:12	107:18 141:14,14	types 176:14	upper 42:14
transunion 71:6	141:15 142:4,17	typical 107:13	upset 179:18,20
treat 124:23 125:3	143:3,16 166:10	typically 19:8	184:12
126:6 180:2	166:15,25 168:3	133:3 163:16	

upstairs 56:12,13 118:11,13,14 119:6 147:14 urinary 180:8 urquhart 2:17,21 usage 177:19 use 12:14 14:6 25:1,7,12 79:17,23 80:19,21,24 81:4 81:10 88:23 92:19 93:10 97:14 132:1 134:7 140:15,22 141:1,7,11,16,18 141:24,25 142:5 142:11,18 143:2,4 143:6,12,16,18,22 144:7,11,17 148:10,12 171:4,6 173:13,15,20,21 175:5,17 177:17 201:3 207:2 210:10 useless 92:14 usually 12:12 14:8 14:8 96:12 107:5 107:6,20 109:11 109:25 134:5 167:7,7 169:4	value 10:15 14:3 54:20 55:1 68:4 69:8 70:22 75:6 75:11,16,23 78:12 78:14 79:16 87:5 89:23 90:5,12,18 91:4,18 92:17 valve 88:3,8 vanilla 208:13 varies 133:5 164:16 varieties 134:12 variety 38:12 various 110:22 187:14 190:2,15 196:17 vegetables 132:14 167:18 205:7 209:6,18,21 verify 87:4 veritext 4:14 vermont 1:1 4:19 5:2 29:6 101:2,4 102:21 110:11 149:8 151:10,22 156:22 188:10 versus 4:24 96:11 vibrated 47:7 vice 13:17 videographer 4:5 5:21 62:22 63:1 112:14,19 172:19 172:22 209:22,25 210:15 213:2 videotaped 1:13 view 86:13 90:21 91:9 98:1 114:23 119:21,23 121:8 121:15 viewed 98:8	viewing 34:1 village 150:11 vinegar 208:15 vinyl 28:19 29:15 29:18,22 visit 163:23 167:25 168:2,5 169:4 visual 70:16 vitamin 129:7,7,8 129:9,12,16 182:14 vs 1:7 216:2 vt 1:17 2:5,13 3:17 149:5	waste 185:23 water 46:14,15,17 47:20,23 63:9,11 64:13,21 65:14 74:13 80:20,21,21 81:3,3,5,15 82:1,8 82:17,21 83:6 84:13 85:1 92:18 92:19,20 94:25,25 95:24 96:3,4,6,10 96:11,13,19 98:5 98:14,20,23 99:3,3 99:10,12 147:1 150:3,6,10,11 153:1 156:1 164:8 164:19,21,23 165:2,5,8,13,16,17 165:20,25 166:3,6 170:13,15,19,21 177:9,10,16,17,19 177:20,21,23,24 177:25 178:3,6 181:16 185:13 watered 177:14 waterline 88:24 waterlines 88:25 wax 142:11 171:2 way 13:24 39:1 60:16 80:25 81:11 83:24 84:15 87:6 87:7 90:18 93:6,7 93:17,20 97:6 102:14 124:20 125:8,25 126:20 172:14 176:22 180:22 ways 38:21 177:9 we've 23:18 54:19 56:15,21 62:2,7 66:5 67:1 78:24 86:15 93:19,24,24
v	v 124:3,5,7,7,23 126:12,17 181:9 vacation 169:6 vague 48:10 92:24 139:8 157:1 160:8 161:4 169:17 valerian 185:9 valium 184:7 valuation 3:12 67:11,16,20,24 68:1 71:7 86:19 87:17 89:4,6	w	w 2:8 wait 142:21 waived 4:3 walk 119:24 120:1 120:3,4,6,6,9,10 120:12,13 135:4 walke 189:10 walks 163:23 wall 49:5 wallpaper 117:9 117:12 wallpapered 117:3,6 walls 50:2 123:1,6 walnuts 208:17 want 71:4 95:16 95:17 98:7,11 138:9 195:14 wanted 62:6 wanting 83:22 85:10 warmer 135:4 163:13 washer 39:24 40:4

93:25 99:1,17 127:3,6,19 weakness 123:17 wear 16:22,25 22:17 171:13 wearing 171:17 weaving 146:15 weed 141:11 164:6 week 8:24 15:20 16:20 133:2,22 134:3,24 135:3,11 141:5 143:16 162:22 163:21,22 166:18 169:5 173:21 197:14 198:15 199:5,20 200:9,13,21 201:17,19 202:15 203:2,10,16,20 204:9,21 205:17 207:3 208:8,12 weekly 177:5 weeks 142:8 167:11 169:14 170:1 171:24 180:16 weigh 106:19 weighed 106:16,20 weight 106:14 107:8 179:15 welcome 112:23 welded 21:5 welding 28:22 147:17 wells 48:2 50:5 88:22 92:14 93:10 93:11,25 155:11 155:21 188:8,18 189:13 190:7,10 190:22 191:13	went 18:16 83:3 160:24 185:23 west 42:12 western 110:11 whacking 164:6 whatever's 9:4 whereof 215:16 whichever 138:8 whiskeys 199:9 whispering 4:7 white 3:16 208:19 208:21 whitlock 2:8,8 5:19,19 10:21 11:10 12:16 14:13 15:22 19:5 25:16 31:17 32:1 34:4 35:5 37:18 38:1,7 41:19 45:9 48:4 48:10 51:25 52:15 56:8,25 57:5,25 58:4,6,18,20 60:12 60:21 61:2,4 65:10 66:21 68:19 71:16,18,22 76:3,9 76:12 79:2 82:9 84:1,20 88:10 90:7 92:2,23 94:22 97:1 98:2 105:21 106:9 113:11 115:6 116:14,17 125:10 127:23 135:25 137:13 138:15 139:7,17 151:15 152:1,17 154:18 157:1 159:12,14 160:6 161:3 168:6 168:10,13,19 169:17 181:18 187:11 194:21	195:6,11,18 196:11 206:23 209:10 210:12,23 210:25 211:4,11 211:17 212:9 whitlock's 195:23 whitney 104:19,19 who've 89:22 138:13 wife 52:10 70:10 71:12 72:12,17,21 73:2,12,18,24 74:4 74:20 80:2 102:6 102:9,25 103:12 103:20 104:6 105:19 106:1,7 115:3 121:12 135:5 147:5 150:2 153:1 175:19 wife's 103:23 104:11 116:22 153:6 175:3 wild 176:16,22,23 william 136:17 wilson 2:17 5:13 5:13 195:22 windex 143:12 window 119:9 143:12 windows 52:24 53:2,4,8 wine 131:22 206:1 winter 9:7 166:9 173:21 winters 9:6 wire 47:7,7 withdraw 211:6 witness 3:2 5:4,23 5:24 35:24 57:4 57:13,24 58:14,19 58:21 59:5,16	61:3,5 63:6 68:21 69:17 70:15 112:25 113:21 115:8,14,17,20 116:16 137:14 139:20 209:7,9,12 210:6 211:1 215:16 wood 28:24 29:12 29:12,16 32:23 53:6,15 54:13,14 wooded 43:4,6,13 44:3 woods 45:7 woodworking 146:9 woody 45:14 wool 2:4 word 160:16 words 13:4 22:3 31:14 57:3 123:24 work 8:22,24 9:2,6 9:14,16,19,22,22 10:5 12:17 17:7 17:10,20,22 23:10 27:5 28:8 46:23 53:10 55:1 70:19 135:15 146:4 163:24 164:4,7 165:9 189:13 212:19,20 worked 9:5 10:23 12:23 15:9 17:8 22:21 23:5 27:15 28:21 165:11,19 166:2 195:4 workers 136:10 working 146:17 workplace 136:6,8 worms 178:22
---	--	--	--

[worried - zucchini]

Page 36

worried 150:1 151:5	162:25 163:2,9 165:4 166:14	53:3 54:10 55:15 55:21,21 100:5
worth 85:2,16,25 87:12 88:19	169:21 172:8 176:9 179:15,19	101:11 105:3 106:16,19,20
wrap 196:25 209:20 210:5	184:3 185:14 190:1 193:2 196:2	107:23,24 108:24 116:24 119:20
write 58:10	197:3,8,10 198:6	130:17,17 131:13
wrong 136:4,4 145:9 152:12 155:17	200:8,18 202:7 203:15 206:13 207:18 209:7 210:22	131:18 133:14,16 134:19 137:13 138:25 144:16 146:7,22 168:2
wrote 151:11 190:2 192:6	year 18:22 34:10 76:2 77:16,20	171:18 172:3,10 172:14 175:1,10
x	79:22 100:13,25	175:15,15 178:18
x 3:8 69:7 181:9	105:7 106:25	178:19 179:13
y	107:18,19,20,21 107:23 126:14	181:14,21 186:9 186:10
yard 42:15,20 135:14,15 144:25 163:24 164:6 177:14	127:14 142:4,17 143:21 146:24 163:3,17,18,19,24 164:11 167:17	yesterday 181:19 yogurt 208:25 york 2:18,22 157:4
yards 45:3,13,17 45:21	168:3 169:4,7,11 173:9,10,24 174:1 174:13 176:24,25	youngest 105:10
yeah 11:14 20:23 38:4 39:3 42:21 46:12 54:5,22 58:5,16,19 60:13 61:5,14,14,16,16 61:17 64:23,23 75:19,19 76:10 84:3 97:4 101:6 103:9 104:9,10 105:24 106:20 107:4 108:10,25 110:20 111:7,12 111:19,22 114:19 115:8,20 119:23 122:21 133:2 135:10 139:9,20 143:10 144:15 145:18 146:21 149:8 155:7	180:21 181:14 186:9,11 198:11 198:13,17,21,22 199:12,14,18,22 200:1,3,5,11,19,23 201:5,11,13,21 202:2,8,21 203:12 203:18,24 204:3,5 204:19 205:2,4,13 205:15,19 206:18 207:9,11,13,15,19 207:21 208:14,16 208:18,20,24 209:3,8 212:16	z
	years 17:22 18:3 18:22 39:15,17,20 40:2,5 47:10,10,11	zone 92:6,12 155:9 160:9,13 161:17 162:9 zucchini 209:2

Federal Rules of Civil Procedure

Rule 30

(e) Review By the Witness; Changes.

(1) Review; Statement of Changes. On request by the deponent or a party before the deposition is completed, the deponent must be allowed 30 days after being notified by the officer that the transcript or recording is available in which:

(A) to review the transcript or recording; and

(B) if there are changes in form or substance, to sign a statement listing the changes and the reasons for making them.

(2) Changes Indicated in the Officer's Certificate. The officer must note in the certificate prescribed by Rule 30(f)(1) whether a review was requested and, if so, must attach any changes the deponent makes during the 30-day period.

DISCLAIMER: THE FOREGOING FEDERAL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY.

THE ABOVE RULES ARE CURRENT AS OF SEPTEMBER 1, 2016. PLEASE REFER TO THE APPLICABLE FEDERAL RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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